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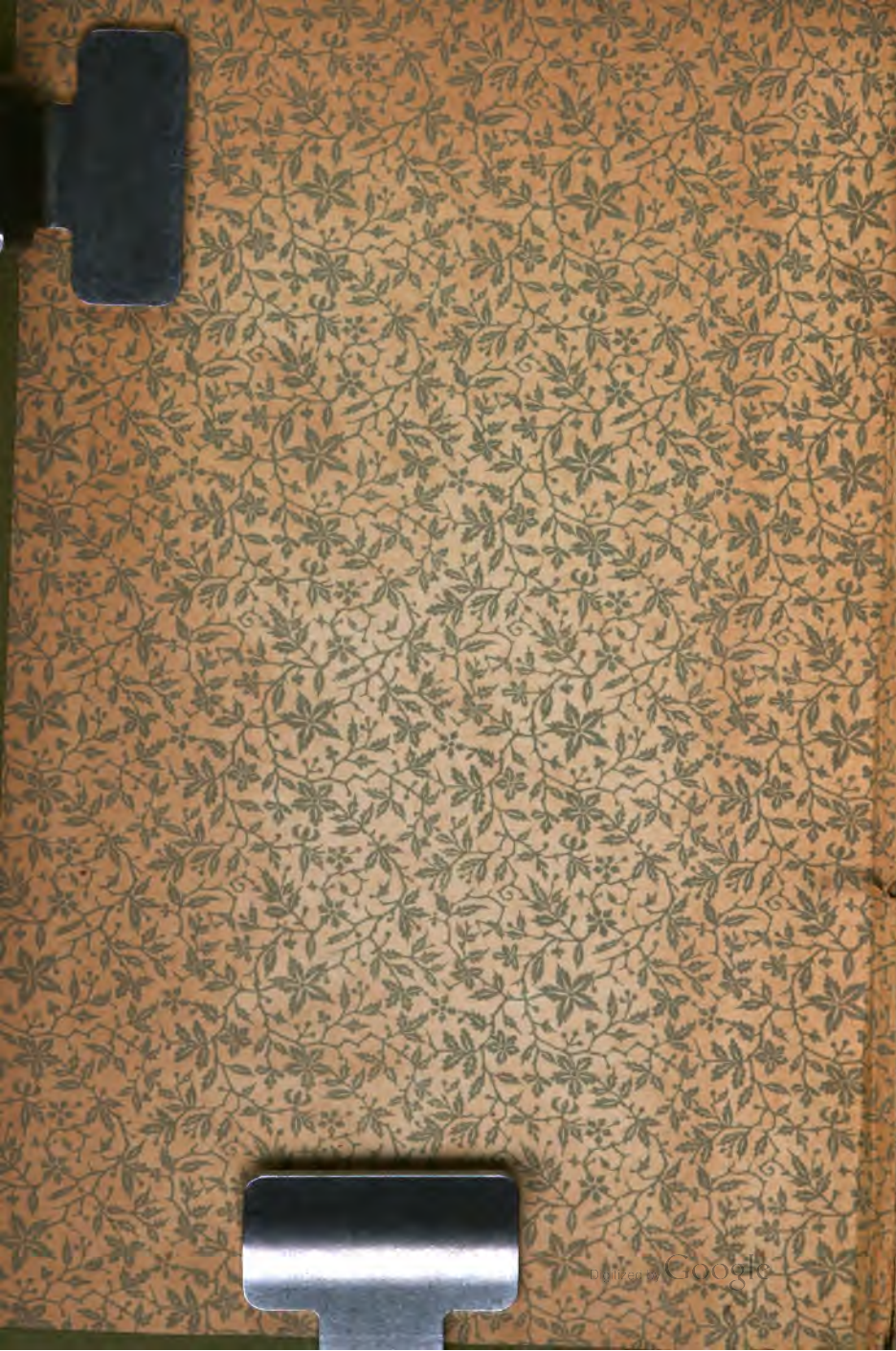
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BIRTHRIGHT IN LAND

THE ABERDEEN UNIVERSITY PRESS.





William Ogilvie

WILLIAM DOUGLASS
OF THE
SUPREME COURT OF THE UNITED STATES
AND
OF THE DISTRICT COURT OF MASSACHUSETTS.
LECTURES ON AMERICAN JURISPRUDENCE.

6. Discussion

Then at 1.42, the boat was
 150 yds. from the shore.
 2.00 yds. from the shore.
 3.00 yds. from the shore.

1891



Man of the

BIRTHRIGHT IN LAND

BY

WILLIAM OGILVIE

OF PITTENSEAR

PROFESSOR OF HUMANITY, AND LECTURER ON POLITICAL AND NATURAL HISTORY,
ANTIQUITIES, CRITICISM, AND RHETORIC, IN THE UNIVERSITY AND
KING'S COLLEGE OF ABERDEEN

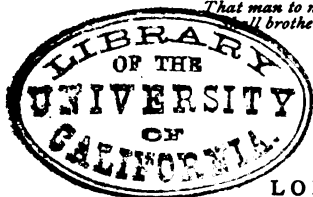
WITH BIOGRAPHICAL NOTES

BY

D. C. MACDONALD

*Thy kingdom come: Thy will be done ON THE EARTH,
as it is in Heaven.*

*Then let us pray that come it may,
As come it will for a' that,
That man to man the world o'er,
Shall brothers be for a' that.*



LONDON

KEGAN PAUL, TRENCH, TRÜBNER & CO., LTD.

1891

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Honour thy father and thy mother that thy days may be long upon the
LAND which the Lord thy God giveth thee: BIRTHRIGHT TENURE!

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In Memory

OF

WILLIAM OGILVIE,

ROBERT BURNS,

JOHN LOCKE,

And, last but not least,

GEORGE BUCHANAN,

Four lovers of mankind, whose achievements in the cause of Justice, of Love, of Truth, and of Liberty, if fully known and followed up, would deprive superstition, hypocrisy, ignorance, and oppression of their monopolising power over the Natural Rights of man, and could not fail to establish that measure of happiness in this world which every rational being ought to enjoy in accordance with the intentions of a Benevolent Creator, by whose Sovereign Power the wish to be happy is implanted in the human breast.

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PLATES.

PORTRAIT OF THE AUTHOR.

"THE SAPIENT SEPTEMVIRI."



P R E F A C E.

a THIS work was written between 1776 and 1781, about a hundred years before Mr. Henry George wrote his *Progress and Poverty*.

Both authors traversed the sorrowful jungle of Political Economy, and both discovered "the central truth". The independent testimony of the one is corroborated by the equally independent testimony of the other.

The same truth was revealed to John Locke between the years 1680 and 1690. And is there any doubt that it was seen by Moses, David, Socrates, and a host of prophets, poets, and philosophers, ages and ages before?

Do we not find the *Birthright of Man* stereotyped in the words "OUR FATHER"? The Faiths of the world, ancient and modern, whether considered natural or revealed, have all something in them, in common with genuine Christianity, which declares "*Equality of Rights*" between man and man.

"Whether," says Locke,* "we consider natural

* Essay on Civil Government.

reason, which tells us that men, being once born, have a right to their preservation, and consequently to meat and drink and such other things as Nature affords for their subsistence, or 'revelation,' which gives us an account of those grants God made of the world to Adam, and to Noah and his sons, it is very clear that God, as King David says (Psalm cxv., 16), '*hath given the earth to the children of men, given it to mankind in common.*'

"As much land as a man tills, plants, improves, cultivates, and can use the product of, so much is his property. He, *by his labour*, does, as it were, enclose it from the common.

"God gave the world to men in common; but since He gave it for their benefit and the greatest conveniencies of life they were capable to draw from it, it cannot be supposed He meant it should always remain common and uncultivated. He gave it to the use of the industrious and rational (*and labour was to be his title to it*); *not to the fancy or covetousness of the quarrelsome and contentious.*" And adds Professor Ogilvie: "Nor yet that it should be appropriated in such a manner as that, when not more than half cultivated, the farther cultivation and improvement should be stopped short, and the industry of millions willing to employ themselves in rendering the earth more fertile should be excluded from its proper field, and denied any parcel

of the soil, on which it could be exercised, *with security of reaping its full produce and just reward*". "This title to an equal share of property in land" is declared by Professor Ogilvie to be a "BIRTHRIGHT *which every citizen still retains.*" We shall see how far he advanced the question towards the standpoint of *Progress and Poverty*.

"The reform," says Mr. Henry George, "I have proposed . . . is but the carrying out in letter and spirit of the truth enunciated in the Declaration of Independence—the 'self-evident' truth that is the heart and soul of the Declaration — 'That all men are created equal ; that they are endowed by their Creator with certain inalienable rights ; that among them are life, liberty, and the pursuit of happiness !'

"These rights are denied when the *equal right to land*—on which and by which alone men can live—is denied. Equality of political rights will not compensate for the denial of the *equal right to the bounty of nature*. Political liberty when the *equal right to land* is denied, becomes, as population increases and invention goes on, merely the liberty to compete for employment at starvation wages. This is the truth that we have ignored."

Such being the disease, what is the cure ?

"It is necessary," says the Philosopher of Pittensear, "that the object to be aimed at, and the means by which it may be obtained, should be

again and again stated to the public in a variety of speculative views, and so rendered familiar to the understandings of men.

“Internal convulsions have arisen in many countries by which the decisive power of the state has been thrown, for a short while at least, into the hands of the collective body of the people. In these junctures they might have obtained *a just re-establishment of their natural rights to independence of cultivation and to property in land*, HAD THEY BEEN THEMSELVES AWARE OF THEIR TITLE TO SUCH RIGHTS, *and had there been any leaders prepared to direct them in the mode of stating their just claim, and supporting it with necessary firmness and becoming moderation. Such was the revolution of 1688, at which time, surely, an article declarative of the NATURAL RIGHT OF PROPERTY IN LAND might have been inserted in the Bill of Rights*, HAD THE PEOPLE AT LARGE BEEN BEFOREHAND TAUGHT TO UNDERSTAND THAT THEY WERE POSSESSED OF ANY SUCH CLAIM. *Such also was the late convulsion in America (1776), the favourable opportunities of which are not yet exhausted.*”

It is interesting, as well as instructive, to notice the harmony that pervades the writings of these three Apostles of *Man's natural right to independence, his liberty to labour, and his Birthright in land*. John Locke stirred up the English Revolution of 1688, and in doing so he set a good

example to the rest of the world, and raised his country to a glorious position among nations. We are only beginning to see this now. William Ogilvie was neither an idle spectator of the French Revolution of 1789, nor of the American Revolution of 1776. The man who regarded Revolutions as "favourable opportunities" for restoring the natural rights of mankind was, like John Locke, a practical philosopher. Mr. Henry George, as a political philosopher, is equally practical. He is a child of 1776, *in spirit and in truth!* He is a Lockist as regards the rights of labour—labour being the title and also the measure which alone can give to the individual an exclusive right of property in natural products. And he is an Ogilvist (which is only a logical development of the Lockist) as regards man's BIRTHRIGHT IN LAND—the basis of the SINGLE TAX, and the door through which LABOUR may freely enter into possession, and enjoy, not a mere portion of its fruit, which some tyrant may set apart, but "its full produce and just reward".

Sad and strange to say, amidst our boasted civilisation, our profession of the Christian Faith, and our avowed belief in one impartial God, all knowledge in regard to the just and equal right of mankind to participate in the bounties of Nature, has hitherto been systematically boycotted. Until recently, the teacher of such prin-

ciples was treated by *Law and Order* as a dangerous criminal. John Locke had to take shelter in Holland. William Ogilvie had to conceal himself *under a bushel* in Scotland. Many a noble son of Erin had to mount the gallows, while thousands suffered imprisonment, and millions were exiled from that unhappy country—a country which is still held like a mangled corpse in the crocodile jaws of commercial landlordism ; and the monster will not let go its hold except on one condition, namely, to be allowed to gorge itself with British *blood*.

But why not utterly destroy this monster? What better service for our soldiers, blue-jackets, and policemen, than to employ themselves in destroying this common enemy of mankind? Parliament could do it, a royal warrant could do it, the sufferers have a right to do it, nay “every man hath a right” to destroy such monsters. “In transgressing the law of Nature,” says John Locke, “the offender declares himself to live by another rule than that of reason and common equity, which is that measure God has set to the actions of men for their mutual security, and so he becomes dangerous to mankind ; the tie which is to secure them from injury and violence being slighted and broken by him, which being a trespass against the whole species, and the peace and safety of it, provided for by the law of Nature, *every man upon this*

score, by the right he hath to preserve mankind in general, may restrain, or where it is necessary, destroy things noxious to them, and so may bring such evil on any one who hath transgressed that law, as may make him repent the doing of it, and thereby deter him, and, by his example, others from doing the like mischief. And in this case, and upon this ground, *every man hath a right* to punish the offender, and be the executioner of the law of Nature." *

The benevolent and magnanimous Professor Ogilvie had this passage before him when he wrote the first section of his Essay. In a foot-note he says :—" It were unjust to censure the proprietors of land, however, for retaining and exercising, as they do, a right whose foundations have not been inquired into, and whose extent no one as yet controverted". Then he goes on to explain that ignorance is the root of the evil. . There were many cases to which the modified doctrine of Professor Ogilvie would apply, *e.g.*, the " humane landlords of England " of his own time, and some of the princes of ancient times, " who lived for the happiness of their people ". The *commercial* landlord, who, he tells us in the same note, is " of all citizens the most pernicious," who burkes all inquiry into the foundations of his right, and who

* The renowned George Buchanan, the great-grand-father of British Liberty, puts it even stronger than this. (See page 319).

with the aid of lawyers and priests, fills the eyes of mankind with the dust of ignorance, he would leave to be dealt with in accordance with the principles approbated by Locke. We should not degenerate from these principles, and it is to be hoped that few readers will grudge the references here made to the once famous, but now forgotten—strangely forgotten—writings of one of the best of men, and one of the greatest philosophers the world ever produced, namely, John Locke.

Professor Ogilvie, who came after Locke, devotes himself in this treatise to one subject—*Birthright in land*, it may be called. And the Author may be justly styled—*The Euclid of Land Law Reform*. He has left little or nothing unsolved in connection with the Land Question. He has given us a true base line—man's equal right to the raw material of the earth, to the air, to the water, to the rays of the sun, and all natural products—from which we can work out any problem, and by which we can test the "title and measure" of every man's property. Resting on this base line—*man's natural rights*,—he represents to us the perpendicular line of *man's right to labour*, "with security of reaping its full produce and just reward". Here we have the question in a nutshell. Take away the base line, and you have *no right to labour*, and *no produce or reward*, except what may be meted out by the usurper of your

natural rights. You have to beg for leave to toil! We thus see clearly how the robbery of labour may be prevented, and how impossible it is to put a stop to such robbery while the industrial classes neglect to claim and exercise their natural right—their right to an equal share in the earth, and all its natural products.

Strikes against low wages, high rents, unjust taxation, absurd conflicts between capital and labour, rebellions against this or that form of government, are futile skirmishes, and very frequently are of the suicidal cock-fighting order, at which the real enemy, elevated on a grand stand, simply laugh. To contend successfully with these evils, society must learn to begin at the source thereof. While labourers are content to remain deprived of their natural rights, they must pay whatever ransom the brigands who have seized these rights choose to demand. Not only is industry robbed, taxed, and crippled, but the brigand, as dog-in-the-manger, very often puts an entire stop to it, and thus the happiness and comfort of millions of mankind, who are willing to work, are curtailed or wholly sacrificed, and misery and starvation reign instead. I am somewhat afraid to say hard things against brigandage. An institution that is still propped up by *Law and Order*, and supported (or winked at) on almost every hand by the avowed servants of Jesus Christ,

must be touched with a "gentle hand". William Ogilvie has done so in the *Essay* now before us. Although a landlord himself, he did not disregard the truth, and it will be found that his pen was guided by an impartial and benevolent spirit. I do not require to introduce the author to the reader. He has written his own *Introduction*.

It may, however, be noted that the practical schemes propounded in the *Essay*, were intended only as "examples and beginnings of reformation," to use the author's own cautious language, and should be read as such, and in the light of the circumstances of his own time. Let the reader then peruse once more the closing sentence of the *Essay* and the author's note thereto, and ponder over the contents of the work, comparing his own ideas with those of the author, before coming to a hasty decision, and let no scheme for the happiness of mankind be rejected without at least attempting to substitute and promote a better one. The reader, in applying the author's principles to the present time, and having regard to present and future circumstances, will find that these principles are not of the hard and fast kind, but that they are in accordance with Natural Law, and therefore may be accepted as eternal and universal in their application.

The *Index* (pages 123 to 139) has been supplied by the editor. Its purpose, although partly synop-

tical, is not to save the reader the pleasure of studying the text, but rather to stimulate a restudy, by comparing part with part, and reconsidering the whole anatomy of the work, with its bearing upon the present tide of thought in regard to the natural rights of mankind—Man's *Birthright in Land*.

When a child is born, we recognise that it has a natural right to its mother's milk, and no one can deny that it has the same right to mother-earth. It is really its mother-earth, *plus* the dew and sunshine from heaven and a little labour, that supplies the milk and everything else required for its subsistence. The monster that would deprive a babe of its mother's milk, or would monopolise the breasts of several mothers, to the exclusion of several children, is not more deserving of being destroyed than the monster who seizes absolute possession of more than his share of the common mother of mankind, to the exclusion of his fellow-creatures. Now, as these monsters are comparatively few, and were always a very small minority of the human race, the question naturally arises, Why the vast majority submit—why, in short, they do not destroy such monsters without a moment's consideration? How are the monsters guarded? By policemen?—No. By soldiers?—No. By gunboats and blue-jackets?—No. By Law Courts and bailiffs?—No. By the magical



power of the sovereign?—No, we do not now believe in the divine right of kings. By what then?—By the clergy, for we still believe in their “divinity”. Our mothers at least do, and they are our first teachers, and we seldom forget what we learn when young. The influence of the clergy over womankind, and woman’s influence again over the whole race, explain how mankind have been, and continue to be, cheated out of their birthrights. The wily tyrants employ the clergy as their tools. A theology is invented. Truth and reason are boycotted. Ignorance is considered a virtue. The “virtue” of our mothers in this respect is, indeed, specially guarded by the clergy and the Universities. In order to perpetuate landlord serfdom, it is necessary to keep our mothers systematically ignorant of their children’s birthright. By a most unchristian system of law and theology woman is regarded as an inferior being, while man is elevated to the position of a God—a Creator!* Thus robbed of her natural position, and of her equal rights, in her own sphere, as a parent, she is condemned to the position of a slave. In this position she brings forth her children. She generally does

* This is a relic of Paganism—the worship of males. The worship of the sun (*on sundays!*) had its origin in the belief that “he” pro-created new life every Spring. This very ancient religion is not British. The *grian* (sun) of the Celts is not a *he*, but a goddess with “golden locks,” and so—with the *Bard of Avon*—“Juliet is the sun!”

so by licence from the clergy. But notwithstanding this "divine licence," her children are treated as bastards. They are denied the right to draw one breath in their native land, unless the parents beg permission of the landlord. They have to pay for the right to live on *his* land. They are victims of humiliation and extortion from the cradle to the grave. The idea of a Birthright is entirely lost in the case of all children whose mothers are slaves. That sense of *honour* towards "thy mother," enjoined by Moses, is obliterated, when you have lost sight of your right to "*the land which the Lord thy God giveth thee*". When woman's natural rights as a parent are interfered with and curtailed, her natural duties to her offspring are rendered harder, and in many cases impossible to perform. The usual result is universal ignorance, slavery, and suffering of mankind. It is here we may read the real fall of man—the loss of his birthright—his miserable and slavish position—an outcast

"Who begs a brother of the earth,
To give him leave to toil"—

who, like a dog, has to submit to the oppressor's rod, in the shape of insolent robbery or insulting expatriation at the instance of a Duke of Argyll, a Lord Clanricarde, or a Mr. A. J. Balfour.

Where is the free woman—the natural mother—whose blood would not boil, and set a-boiling the blood of dead men, at the thought of her children

being so treated ? But as a slave she must submit. It is the duty of the clergy to stamp out all such natural and motherly feelings. The mothers of John Locke's countrymen are kept, I believe, in greater ignorance of their children's birthright than the mothers of the most savage tribe in middle Africa. It is not necessary to come to Scotland or to cross the Irish Channel in order to witness how landlord-oppression and wage-slavery flourish under the shade and shelter of churches and steeples.

“ Asses, swine, have litter spread,
And with fitting food are fed ;
All things have a home but one :
But thou, O Englishman, hast none !

“ This is Slavery ! Savage men,
Or wild beasts within a den,
Would endure not as ye do ;
But such ills they never knew.

“ What is Freedom ? Ye can tell
That which Slavery is too well,
For its very name has grown
To an echo of your own.

“ 'Tis to work and have such pay
As just keeps life from day to day
In your limbs, as in a cell
For the tyrant's use to dwell :

“ So that ye for them are made,
Loom and plough and sword and spade ;
With or without your own will, bent
To their defence and nourishment.

“Tis to see your children weak,
With their mothers pine and peak,
When the winter winds are bleak—
They are dying whilst I speak.

“Tis to hunger for such diet,
As the rich man in his riot
Casts to the fat dogs that lie
Surfeiting beneath his eye.

“Men of England, wherefore plough
For the lords who lay ye low?
Wherefore weave with toil and care
The rich robes your tyrants wear?

“Wherefore feed, and clothe, and save,
From the cradle to the grave,
Those ungrateful drones who would
Drain your sweat—nay, drink your blood!

“The seed ye sow another reaps;
The wealth ye find another keeps;
The robes ye weave another wears;
The arms ye forge another bears.

“Sow seed—but let no tyrant reap;
Find wealth—let no impostor heap;
Weave robes—let not the idle wear;
Forge arms, in your defence to bear.

“Let a great assembly be
Of the fearless and the free,
On some spot of English ground,
Where the plains stretch wide around.

“ Men of England, Heirs of glory,
Heroes of unwritten story,
Nurslings of one mighty mother,
Hopes of her and one another.

“ Rise, like lions after slumber,
In unvanquishable number !
Shake your chains to earth like dew
Which in sleep has fallen on you !
Ye are many—they are few !”

When the WOMEN OF ENGLAND will take up this song, it is then and only then that the *Men of England* will respond to the word “*Rise!*” The army, the navy, the volunteers, and the police will then no longer be content to strut about as the slaves of the classes while drawing their pay from the masses! England! as the sanctuary of landlordism, thy cup is filling fast; but whether the next revolution will be bloodless or otherwise, who can tell? True, the enemy “*are few*,” and unless “*they*” behave worse than madmen not a drop of blood need be spilt, no treasure or property need be wasted, and no industry need be injured. But while misery, injustice, and discontent reign, and all legitimate attempts at reform are discarded, postponed, and rejected by successive governments, an accidental spark may at any time create a conflagration. The great French Revolution was not the result of a concerted plan. It was only the bursting forth of the streams of liberty and justice from the channels and sinks of iniquity and oppression

in which they had been so long confined. A concerted plan would have succeeded better—a more skilful removal of the feudal earthworks would have prevented the flood from damaging the plains below. The blind forces of nature have to be controlled by intellectual skill, by scientific-knowledge, and by education in the use and working of such forces. The strongest force connected with human nature is maternal affection. The pagan priests knew this—hence the reason why they always made it their chief business to subject womankind to ignorance, superstition, and slavery. The Jewish priests treated women very much in the same way, notwithstanding the distinct commandment of Moses, who, by the way, must have *honoured* his mother fully as much, and deservedly so, as he did his father. Were we to probe history properly we would find how much the influence of woman has had to do with all the great reforms—the great revolutions by which the world has been blessed. Women are compelled to work behind the scenes. They are forced to practise intrigue as the only means by which they can do any good to society. This has had a pernicious effect on their nature, and has been the cause of giving them a reputation for mean conduct wholly inconsistent with their natural instincts. Their whole training hitherto has undoubtedly tended to make them easy victims to ignorance, superstition, and slavery.

Jesus Christ attempted to raise woman to her natural position, but His followers have discarded His doctrines. The Apostle Paul seems to have been more of a Jew than a Christian in regard to the status of woman ; and it suited European feudalism to follow the Apostle rather than Christ. Hence woman's position in the Christian Europe of to-day is much lower than it was among the pagan Celts and Goths, who, Plutarch tells us, *honoured their mothers*, as well as their fathers, by giving them a place and a voice in their legislative assemblies. The sons and husbands of these women measured swords successfully with the proud warriors of the Roman empire, and they founded a new empire, on the throne of which now sits a woman—a lonely relic of western civilisation !

Nature having formed, endowed, and entrusted, woman to be the guardian of her children, and with the mutual right to select who is to be their father, is it natural, is it just, is it reasonable, is it wise, to withhold from her the opportunities of intellectual, moral, or physical development enjoyed by the other sex ? Or is it natural, just, reasonable, or wise, that she should have no voice in the making of laws, which avowedly refer to the welfare of her special wards ? Is it for the benefit of society that we have excluded maternal instinct, and its immediate influence, from our legislative Councils ? Our brutal, unjust, and unnatural laws

will answer this question. Is it because women are too stupid that they are excluded? No—that would rather be a recommendation, seeing that our Acts of Parliament are veritable monuments of confusion. Take, for example, our “Reform Acts,” passed since 1832, as they now stand, and imagine if anything so hopelessly jumbled could be put together by an assembly of crazy old women. Our Franchise, Registration, and Voting Laws, instead of being as simple as A B C, so that a child could understand them, are composed of legal puzzles which many experts are not able to solve. Our representative system, with its household suffrage denied to women, and which gives only a phantom franchise to men, is a barbarous relic of the dregs of feudalism, and forms part and parcel of the Land Laws. The ballot-box is necessary. What hold has an Englishman of his house while some lord owns the ground on which it stands? The Duke of Argyll can disfranchise every soul on his lands, with the exception of the crofters who got “fixity of tenure” in 1886. Our Land Laws, looked at as a sample of legislation by males, present to us a dense jungle of iniquity, full of thorns, briars, and bitter fruit. They furnish ample evidence that one section of humanity cannot adequately perform duties which naturally belong to humanity as a whole. To clear that jungle, to reclaim the

land, and to settle the question of man's birthright, society must utilise the full strength, genius, and natural instincts of undivided humanity, without any offensive distinction of sex. In legislating for posterity, why should the dictates of maternal instinct be disregarded?

If men, in common with the males of other animals, are characterised by boldness and strength, do we not find that women, in common with the females of other animals, are, in some respects, superior to men in sagacity and instinct? Maternal instinct is the sublimest faculty bestowed on humanity by the Creator. Even in regard to boldness and strength the female man should not be despised. The world has produced more than one Joan of Arc. The victim of the suttee exhibits almost supernatural bravery. The widow who struggles against life's battles on behalf of her children is not less brave. The Englishwoman who toils in the forges of Cradley Heath, and her more fortunate sister who outstrips her male companions in following the hounds, are equally brave specimens of their sex. In some parts of the Highlands of Scotland, where the landlords prohibit the keeping of horses, women work the spade, drag the harrow, and carry the dung-creel; and Highland women, like their oppressed sisters in Ireland, have stood guard, as front rank, against batons and bayonets, protecting their homes from

landlord invasion. But on the other hand, where we have the soul of woman filled with ignorance, her intellect bewildered with superstition, and her instinct and reason polluted and condemned, she becomes worse than useless as a guardian and protector of the natural and sacred rights of mankind. The lords of this world use religion as a pirate-flare for diverting the attention of the bulk of mankind to "another world"—a much better world, they say, as if that were a good reason for despising this world while we are in it. Women, alas ! are too often caught in this way. Anything tacked on to an old religion becomes fashionable, becomes respectable, and women must be in the fashion, must be respectable, and men follow the women, no matter how absurd and how unreasonable the temple performances, or the doctrines taught by priests and fakirs, may be. The mother's instincts are not holy—they are only natural ! The father's instincts of self-defence are also only natural, and everything natural—"the flesh, the world, and the devil"—must be renounced. Man's natural right to a share of his native land, being thus sandwiched with the devil, must be given up. It is thus that the children's birthright is lost, that eviction is made easy, and that the landlords are allowed to reap where they did not sow.

These thoughts are placed here before the reader because it is "devoutly to be wished" that

every girl as well as every boy, every woman as well as every man, and especially every mother, should read and carefully digest such works as Professor Ogilvie's "Essay on the Right of Property in Land". No social movement can be carried to a successful issue either by evolution or revolution unless woman joins heartily in it, and then instead of being a drag, she becomes a spur in the march of civilisation. The education, emancipation, and co-operation of woman is necessary before her children—mankind—can regain and inherit their birthright. Man is only emerging from slavery when woman is being emancipated. If a man's mother, sister, wife, and daughter are slaves, is he not steeped in slavery? Religion and Law, bossed by weak men, have been the causes of woman's degraded position as a member of society. The Creator is not in the least to blame.

"Auld Nature swears, the lovely dears,
Her noblest work she classes, O :
Her 'prentice han' she try'd on man,
An' then she made the lasses, O."

Professor Ogilvie's *Essay* is a pastoral prose poem, through which we can realise this beautiful world, with its ample provision for satisfying man's instinctive and rational faculties of enjoyment. The "Sovereign Power" from which all blessings flow is manifested as a wise, just, and impartial Creator, who invites us to make His laws our

laws, and who in these latter days has delegated to us some wonderful powers, by which—with equality of rights and freedom of labour—the comforts of this life, and the products of the world, may be multiplied more than a thousand fold, *purposely* (shall we not say ?) to increase the happiness and virtue of mankind.

The sun never sets, and when one group of workers are retiring to rest, on his “going down,” another group are rising with him. Light and labour thus go their incessant rounds ; and so it is with the seasons of seed-time and harvest—the eternal law of revolutions seems to regulate all things ! Human speech, borne on the mysterious wings of thunder, revolves round the earth, and “man to man the world o’er” can hold instantaneous converse. Man himself revolves round the world, carried by his fire-souled amphibious steed from places where he lacks food, raiment, or enjoyment, to more hospitable regions. Or he can, with magic-like power, cause the superfluous granaries, larders, and wardrobes, to move from one side of the globe, to feed and clothe the hungry and naked on the other. Nature seems to have decreed—“There shall be no more famines !” But although the sun shines ceaselessly, and man’s labour follows him steadily in his course, the flow of blessings which such evolutions naturally produce is polluted and diverted by the influence



of landlordism, which, like a upas tree, poisons the surrounding atmosphere, spreads desolation in the country, and crowds the town with vice, want, disease, misery, and crime, far beyond the power of churches, charities, hospitals, divorce courts, and police courts to cure. There is only one cure —“Cut it down : why cumbereth it the ground ?”

D. C. McD.

ABERDEEN, *May*, 1891.

AN
E S S A Y
ON THE RIGHT OF
PROPERTY IN LAND

With respect to its Foundation
IN THE
LAW OF NATURE

Its present Establishment
BY THE
MUNICIPAL LAWS OF EUROPE
AND

The Regulations by which it might be rendered
more beneficial to the lower Ranks of Mankind

L O N D O N
Printed for J. WALTER, Charing-Cross
1782

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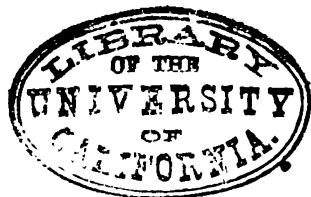
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INTRODUCTION.

THE municipal laws of every country are not only observed as a rule of conduct, but by the bulk of the people they are regarded as the standard of right and of wrong, in all matters to which their regulations are extended.

In this prejudice, however natural to the crowd, and however salutary it may be deemed, men of enlarged and inquisitive minds are bound by no ties to acquiesce without inquiry.

Property is one of the principal objects of municipal law, and that to which its regulations are applied with greatest efficacy and precision. With respect to property in movables, great uniformity takes place in the laws of almost all nations; they differ only as being more or less extended to details, comprehending the diversity of commercial transactions; and this branch of jurisprudence may be said to have almost attained to its ultimate maturity and perfection.

But with respect to property in land, different principles have been adopted by different nations in different ages; and there is no reason why that system, which now prevails in Europe, and which is derived from an age, not deserving to be extolled for legislative

wisdom, or regard to the equal rights of men, should be supposed to excel any system that has taken place elsewhere, or to be in itself already advanced beyond the capacity of improvement, or the need of reformation.

It is to a free and speculative disquisition, concerning the foundation of this right of property in land, and concerning those modifications, by which it may be rendered in the highest degree beneficial to all ranks of men, that the author of these pages wishes to call the attention of the learned, the ingenious, and the friends of mankind.

It can give him no surprise, if the opinions he has advanced on a topic of discussion, so new, and so interesting to all, shall meet with the approbation of a few only. Were they now for the first time to be presented abruptly to his own mind, he believes that they would startle his first thoughts, and perhaps might be rejected on a transient view. But the leading principles of that system, which he now holds, respecting property in land, have been coeval in his mind with the free exercise of his thoughts in speculative inquiries; they have recurred often, they have been gradually unfolded, and for some years past he has been accustomed to review them frequently, almost in their present form, with still increasing approbation.

All that he would request in their favour (and the candid will readily grant this) is, that they may not be rejected on a first disgust, and that those who cannot adopt the opinions here advanced may at least bestow some pains in ascertaining their own. These are the

opinions of one individual, thinking freely, and for himself; they are erroneous perhaps and visionary; their singularity may well authorize a suspicion that they are so, and this suspicion ought to have kept them back from the public eye, but for the hope of exciting others to enter into the same train of inquiry, and no longer, in a matter of the first importance to the interests of society, implicitly to acquiesce in traditionary doctrines, never yet submitted to examination.

Free inquiry, however it may give birth to vain theories and chimerical projects, has never in any department been productive of essential detriment to the true interests of mankind. What undesirable consequences have always arisen from the stagnation of inquiry, and from silent acquiescence, even in establishments that are beneficial, and in opinions that are true, the history of mankind bears witness in every age.

It is natural to the mind, when new ideas arise on important subjects, to open itself with fondness to the pleasing impression which they make. Yielding to this seducing enthusiasm, the author has been led to speak with freedom of great changes, suddenly to be accomplished, as practicable in some cases, and to be desired in many. Yet is he well aware that great changes, suddenly accomplished, are always pregnant with danger, and with evil, and ought on almost no occasion whatever to be desired, or brought forward by the friends of mankind. Partial reformation, gradual progressive innovation, may produce every advantage which the most important and sudden changes can promise, yet without incurring those dreadful hazards, and those inevitable

evils, with which great and sudden changes are still attended.

With the greatest satisfaction of mind he avows his persuasion, that were great and important innovations respecting property in land as practicable and safe, as they are difficult and full of danger, there is no country under the sun which stands less in need of such reformation than England. Although indeed the principles of jurisprudence, respecting property in land, which the laws of England recognize, are derived from the same source, and partake of the same absurd and pernicious nature with those maxims which prevail almost everywhere on the continent of Europe, yet such has been the generosity of English landholders, such their equitable conduct towards their tenants and dependants, and such the manly spirit of the lower classes, fostered by a sense of political rights, that in England the comfortable independence of the farmer and actual cultivator of the soil, is established on as secure a footing as the most refined system of property in land deduced from the genuine principles of public good and natural right can propose to render effectual and permanent. It is to be regretted only that this comfortable independence which the farmers enjoy cannot be extended to a still greater proportion of the community. English landholders and English farmers are superior in all respects to the same class of men in other countries: in their manly vigour, their plain good sense, their humane virtues, consists the true basis of our national pre-eminence. Their blood circulates in every rank of society, their domestic manners have given the tone to the English character as displayed in all the various departments of

business and enterprize; nor can any wish be formed more favourable to the prosperity of the public, than that the numbers of this class of men may be increased. To increase the number of landholders by advancing farmers to that more independent situation, can never be made the object of legislative care in this country, as it might in the absolute monarchies of the continent; but to increase the number of farmers, by favouring the advancement of day labourers and manufacturers to the more animating and manly occupation of cultivating a small farm for their own account, is an object very similar to many branches of enlightened policy which the British legislature (more than any other) has pursued with attention and success.

To the worthy and humane English landholders, and more particularly to those who of late years have voluntarily granted to their tenants an abatement of rent, this short Essay is inscribed by the Author, as to men whom he regards with high esteem, and from whom he may hope that his speculations, should they ever come to their knowledge, would meet with no unfavourable reception. Why should he not flatter himself with this hope, however seemingly vain, since uninformed by theoretical reasonings, and prompted only by the innate candour and humanity of their own minds, these respectable landholders, truly worthy of their station and of their trust, have habitually acted in conformity to those principles of public good and natural right which he is desirous to elucidate and establish.

ESSAY

ON THE

RIGHT OF PROPERTY IN LAND.

PART I.

SECTION I.

*Of the Right of Property in Land as derived from
the Law of Nature.*

1. **A**LL Right of property is founded either in occupancy or labour. The earth having been given to mankind in common occupancy, each individual seems to have by nature a right to possess and cultivate an equal share. This right is little different from that which he has to the free use of the open air and running water; though not so indispensably requisite at short intervals for his actual existence, it is not less essential to the welfare and right state of his life through all its progressive stages.*

* The bulk of mankind in every country are ignorant of the difference between their own laws and those of other nations; too ignorant to understand, and to value aright what is truly excellent in their own code, or to perceive what improvements it may still admit, and what innovations ought to be desired. In no article are they more ignorant than in respect to property in land, the established rules of which are in

2. No individual can derive from this general right of occupancy a title to any more than an equal share of the soil of his country. His actual possession of more

every country accounted permanent and immutable, as being fixed by the destination of nature.

In most countries the proprietors of land will ever retain a more than equitable authority over those who cultivate their fields, and not unfortunately for both, did they but remember that the situation of a proprietor is more allied to that of a prince than that of a merchant, and requires some degree of those generous sentiments, and that benign demeanour, which ought to adorn the highest station.

It cannot be denied, that all over Europe, those who are employed in cultivating the soil lead a very wretched life; and that it seems very practicable to render their condition much better than it is, without rendering that of their landlords and superiors any worse.

It cannot be doubted that much more beneficial establishments of property in land than those which obtain in Europe, or almost any that are known to have obtained elsewhere, may be devised, and are capable of being instituted, and receiving form and consistence from human laws.

The present system of property in land is not adapted to times of commerce, order, and tranquillity, but to warlike and turbulent ages, when the entire dependence of great bodies of men on their leaders, and the confidence of leaders in their respective bands, were requisite for their common safety.

In the present advanced state of industry, security, and commerce, the relations and ties which arose out of this mutual dependence, with all their concomitant pleasures and advantages, are unknown; and the landholder, who now abuses that power wherewith an obsolete establishment has invested him, to the exacting the last farthing his lands can produce, and effectuating in combination with others a monopoly of that valuable and necessary commodity, is, though perhaps he knows it not, of all citizens the most pernicious. He reaps the greatest emoluments from the institutions of society, and contributes least to the increase of plenty, or preservation of order.

It were unjust to censure the proprietors of land, however, for retaining and exercising, as they do, a right whose foundations have not been inquired into, and whose extent no one has ever yet controverted. It is the situation in which they find themselves placed that prompts their conduct, nor can they readily conceive either the injustice or the detriment which the public suffers, by permitting such rights to be exercised. On the other hand, the farmers and cultivators have no clear perception of the injustice and oppression which they suffer. They feel indeed, and they

cannot of right preclude the claim of any other person who is not already possessed of such equal share.*

3. This title to an equal share of property in land seems original, inherent, and indefeasible by any act or determination of others, though capable of being alienated by our own. It is a birthright which every citizen still retains. Though by entering into society and partaking of its advantages, he must be supposed to have submitted this natural right to such regulations as may be established for the general good, yet he can never be understood to have tacitly renounced it altogether ; nor ought anything less to establish such alienation than an express compact in mature age, after having been in actual possession, or having had a free opportunity of entering into the possession of his equal share.

4. Every state or community ought in justice to reserve for all its citizens the opportunities of entering

complain, but do not understand, or dare not consider steadily, from what cause their grievances take their rise. The oppressive rights of the one order, and the patient submission of the other, have grown up together insensibly from remote ages, in which the present state of human affairs could not be foreseen.

* "God gave the earth in common to all men, but since He gave it for their benefit, and the greatest conveniences of life they were capable to draw from it, it cannot be supposed that He meant it should always remain common and uncultivated. He gave it for the use of the industrious and rational ; and labour was to be his title to it." (Mr. Locke on government, page 167 of Mr. Hollis's edition.) Nor yet that it should be appropriated in such a manner as that, when not more than half cultivated, the farther cultivation and improvement should be stopped short, and the industry of millions willing to employ themselves in rendering the earth more fertile should be excluded from its proper field, and denied any parcel of the soil, on which it could be exercised, with security of reaping its full produce and just reward.

upon, or returning to, and resuming this their birth-right and natural employment, whenever they are inclined to do so.

Whatever inconveniences may be thought to accompany this reservation, they ought not to stand in the way of essential justice.

Although at first sight such reservation may appear incompatible with the established order of societies and the permanent cultivation of the earth, yet ought it on the other hand to be presumed, that what is so plainly founded on the natural rights of men, may by wise regulations be rendered at least consistent with the best order and prosperity of societies, and with the progress of agriculture ; perhaps, very beneficial to the one, and the highest encouragement to the other.

5. In many rude communities, this original right has been respected, and their public institutions accommodated to it, by annual, or at least frequent partitions of the soil, as among the ancient Germans, and among the native Irish even in Spenser's time.

Wherever conquests have taken place, this right has been commonly subverted and effaced.

In the progress of commercial arts and refinements, it is suffered to fall into obscurity and neglect.

6. Whatever has been advanced by Mr. Locke and his followers, concerning the right of property in land, as independent of the laws of a higher original than they, and of a nature almost similar to that divine right of kings, which their antagonists had maintained, can only be referred to this original right of equal property in land, founded on that general right of occupancy, which

the whole community has, to the territory of the State. This equal right is indeed antecedent to municipal laws, and not to be abolished by them. But it were a mistake to ascribe any such sacred and indefeasible nature to that sort of property in land which is established by the regulations of municipal law, which has its foundation in the right of labour, and may be acquired by individuals, in very unequal degrees of extent, and to the accumulation of which very few states have thought fit to set any limits.

7. That right which the landholder has to an estate, consisting of a thousand times his own original equal share of the soil, cannot be founded in the general right of occupancy, but in the labour which he and those to whom he has succeeded, or from whom he has purchased, have bestowed on the improvement and fertilization of the soil. To this extent, it is natural and just : but such a right founded in labour cannot supersede that natural right of occupancy, which nine hundred and ninety-nine other persons have to their equal shares of the soil, in its original state. Although it may bar the claim of individuals, it cannot preclude that of the legislature, as trustee and guardian of the whole.

8. In every country where agriculture has made considerable progress, these two rights are blended together, and that which has its origin in labour is suffered to eclipse the other, founded in occupancy. As the whole extent of soil is affected by both rights at once, and not different parts by each ; as these rights subsist together in the same subject, the limits by which their influence and extent may be discriminated from

each other do not readily present themselves to the mind ; and could these limits be distinctly ascertained, it may seem still more difficult to suggest any practicable method by which the subjects of each could be actually separated and detached.

9. That every man has a right to an equal share of the soil, in its original state, may be admitted to be a maxim of natural law. It is also a maxim of natural law, that every one, by whose labour any portion of the soil has been rendered more fertile, has a right to the additional produce of that fertility, or to the value of it, and may transmit this right to other men. On the first of these maxims depend the freedom and prosperity of the lower ranks. On the second, the perfection of the art of agriculture, and the improvement of the common stock and wealth of the community. Did the laws of any country pay equal regard to both these maxims, so as they might be made to produce their respective good effects, without intrenching on one another, the highest degree of public prosperity would result from this combination.

10. Plans for the establishment of this combination are not, it must be owned, very obvious, nor have they on the other hand been very industriously sought for. Scarcely has any nation actually carried or attempted to carry into execution any plan having this for its object ; and not many can be said to have attained in any period of their history those enlarged views of the public interest which might lead to the investigation or establishment of such a plan.

Rude nations have adhered to the first of these

maxims, neglecting the second. Nations advanced in industry and arts have adhered to the second, neglecting the first.

Could any plan be proposed for uniting these two maxims in operation and effect, still, in rich and industrious nations, the supposed (not the real) interests of the less numerous but more powerful orders of men, would be found in opposition to its establishment.

11. To establish a just combination of these two maxims, at the original foundation of states, so as to render it a fundamental part of their frame and constitution, or to introduce it afterwards with as little violence as may be, to the actual possessions and supposed rights and interests of various orders of men, ought to be the object of all Agrarian laws; and this object being once distinctly conceived, if wise and benevolent men will turn their attention towards it, no doubt need be entertained that very practicable methods of carrying it into execution will in time be discovered, by comparison of projects, or from the result of trials.

12. When any piece of land is sold, the price paid by the purchaser may be considered as consisting of three parts, each being the value of a distinct subject, the separate amount of which, men skilful in agriculture, and acquainted with the soil of the country, might accurately enough appreciate.

These parts are :

(1st.) The *original* value of the soil, or that which it might have borne in its natural state, prior to all cultivation.

(2nd.) The *accessory* or *improved* value of the soil : that, to wit, which it has received from the improvements and cultivation bestowed on it by the last proprietor, and those who have preceded him.

(3rd.) The *contingent*, or *improvable* value of the soil : that further value which it may still receive from future cultivation and improvements, over and above defraying the expense of making such improvements ;—or, as it may be otherwise expressed, the value of an exclusive right to make these improvements.

If, in England, 100 acres of arable are sold for £1500, money being at 5 per cent., the contingent value may be reckoned £500—for the superior value of that security which land gives may, in a general argument, be supposed to be counterbalanced by the trouble of management. Of the remaining £1000, two or three hundred may be computed to be the original value of the soil, a judgment being formed from the nature of the adjoining common, and the £700 or £800 remaining is to be accounted the amount of the accessory or improved value. In this example, these three parts of the general value are to one another as 2, 8, and 5. If the example is taken from a hundred acres in Bengal, or the lower Egypt, the proportion of the parts may be supposed to be 10, 4, and 1. If from 100 acres of uncultivated moorland, in Ireland, or the northern counties of England, the proportion of the parts may be as 1, 0, and 14.

13. The estate of every landholder may, while he possesses it, be considered as capable of being analysed into these three component parts ; and could the value of each be separately ascertained by any equitable method (as by the verdict of an assize), it would not be difficult

to distinguish the nature and the extent of his private right, and of that right also which still belongs to the community, in those fields which he is permitted, under the protection of municipal law, to possess. He must be allowed to have a full and absolute right to the original, the improved, and contingent value of such portion of his estate, as would fall to his share, on an equal partition of the territory of the State among the citizens. Over all the surplus extent of his estate, he has a full right to the whole accessory value, whether he has been the original improver himself, or has succeeded to, or purchased from the heirs or assignees of such improver. But to the original and contingent value of this surplus extent he has no full right. That must still reside in the community at large, and, though seemingly neglected or relinquished, may be claimed at pleasure by the legislature, or by the magistrate, who is the public trustee.*

14. The difficulty of ascertaining these different sorts of value, and of separating them from one another, if ascertained, may be supposed in general to have prevented such claims from being made. It is particularly

* Even in those countries where the extensive rights of the proprietors of land are most firmly established and guarded, as in Britain, by laws which they themselves have framed, the magistrate, when any public occasion requires it, as in constructing new roads, canals, and streets, building bridges and fortifications, obliges the proprietors, for a reasonable compensation, to part with as much of the soil as may be requisite for the intended works.—There is nothing wanting to complete the prosperity of Europe, but a rule, or familiar method, according to which the landholders may be made, for a like compensation, to part with such portions of the soil as are wanted from time to time, for the accommodation of particular citizens, desirous to employ their industry and their stock in the cultivation of the earth, with full security of reaping the due reward.

difficult to distinguish the original from the accessory value ; nor is the community much injured by suffering these to remain together in the hands of the greater landholders, especially in countries where land-taxes make a principal branch of the public revenue, and no tax is imposed on property of other kinds. The original value of the soil is, in such states, in fact, treated as a fund belonging to the public, and merely deposited in the hands of great proprietors, to be, by the imposition of land-taxes, gradually applied to the public use, and which may be justly drawn from them, as the public occasions require, until the whole be exhausted. Equity, however, requires that from such land-taxes those small tenements which do not exceed the proprietor's natural share of the soil should be exempted. To separate the contingent value from the other two is less difficult, and of more importance ; for the detriment which the public suffers by neglecting this separation, and permitting an exclusive right of improving the soil to accumulate in the hands of a small part of the community, is far greater, in respect both of the progress of agriculture, and the comfortable independence of the lower ranks.*

* If the original value of the soil be the joint property of the community, no scheme of taxation can be so equitable as a land-tax, by which alone the expenses of the State ought to be supported, until the whole amount of that original value be exhausted ; for the persons who have retained no portion of that public stock, but have suffered their shares to be deposited in the hands of the landholders, may be allowed to complain, if, before that fund is entirely applied to the public use, they are subjected to taxes, imposed on any other kind of property, or any articles of consumption.

How preposterous, then, is the system of that country which maintains a civil and military establishment, by taxes of large amount, without the assistance of any land-tax at all !—In that example may be perceived the true spirit of legislation, as exercised by landholders alone.

Without regard to the original value of the soil, the gross amount of

property in land is the fittest subject of taxation ; and could it be made to support the whole expense of the public, great advantages would arise to all orders of men. What then, it may be said, would not in that case the proprietors of stock in trade, in manufacture and arts, escape taxation, that is, the proprietors of one-half the national income ? They would indeed, be so exempted ; and very justly, and very profitably for the State ; for it accords with the best interests of the community, through successive generations, that active progressive industry should be exempted, if possible, from every public burden, and that the whole weight should be laid on that quiescent stock, which has been formerly accumulated, as the reward of an industry which is now no longer exerted.

A just and exact valuation of landed property is the necessary basis of an equal land-tax, and the tenant in mortgage ought to sustain a proportional share of the burden, in the actual landholder's stead.

To keep a land-tax equal, the valuation ought to be renewed from age to age.

If that valuation returns periodically after long intervals, of half a century or more, instead of repressing the progress of improvement in agriculture, it will tend to excite the utmost diligence in that pursuit.

If in any country there is reason to apprehend that the encumbered state of the finances will constrain the rulers of the State, in a short time, to have recourse to this great fund, the expectation of a new valuation will damp the progress of agriculture ; and the intelligent friends of the public good ought to desire that a scheme which cannot be avoided should take place without delay.

SECTION II.

Of the Right of Property in Land, as founded on public Utility.

15. **T**HE increase of public happiness is the true primary object which ought to claim the attention of every state. It is to be attained by increasing the common standard or measure of happiness, which every citizen may have a chance of enjoying under the protection of the State ; and by increasing the number of citizens, who are to enjoy this common measure of happiness. The increase of opulence, or of dominion, are subordinate objects, and only to be pursued, as they tend to the increase of happiness, or of numbers ; to both of which they are in some respects, and in certain cases, unfriendly.*

16. Whatever regulations tend directly to increase the common measure of happiness, enjoyed by each individual citizen, tend assuredly to increase the number

* It would be unjust to assert that the landholders have premeditated and intended to effect this oppression of the cultivators, so injurious to that order of men, and so little profitable to the landholders themselves ; it would be a mistake to suppose that it has been accomplished by any concerted plan of iniquity and fraud. No, it is the course of things that has brought it gradually forward : the natural submission of dependents has been insensibly enforced to this degree ; the cultivators have not been sufficiently aware to protect their own right ; still less has the sovereign power been attentive to protect the most useful order of men in the State.

of citizens. But every regulation tending to increase the number of citizens does not certainly tend to increase the common measure of happiness, and in various situations of the community, may tend to diminish it. The first sort of regulations is therefore to be preferred, in case of interference, to the second.

17. The happiness of individuals, or of any great body of men, is nearly in proportion to their virtue and their worth. That manner of life, therefore, which is most favourable to the virtue of the citizens, ought, for the sake of their happiness, to be encouraged and promoted by the legislature. Men employed in cultivating the soil, if suffered to enjoy a reasonable independence, and a just share of the produce of their toil, are of simpler manners, and more virtuous, honest dispositions, than any other class of men. The testimony of all observers, in every age and country, concurs in this, and the reason of it may be found in the nature of their industry, and its reward. Their industry is not like that of the labouring manufacturer, insidiously uniform, but varied,—it excludes idleness without imposing excessive drudgery, and its reward consists in abundance of necessary accommodations, without luxury and refinement.

18. The families which are employed in this healthful industry, and live in this comfortable independence, increase more than others in different situations of life. It is by their progeny chiefly that the waste of great cities, of armies, navies, commercial and manufacturing occupations is continually supplied.

19. The labour of men applied to the cultivation of

the earth tends more to increase the public wealth, for it is more productive of things necessary for the accommodation of life, wherein all real wealth consists, than if it were applied to any other purpose ; and all labour applied to refined and commercial arts, while the State can furnish or procure opportunities of applying it to the cultivation of the soil, may be said to be squandered and misapplied, unless in so far as it is given to those liberal arts, whose productions operate on the mind, and rouse the fancy or the heart.

20. The most obvious, the surest, and least equivocal indication of prosperity and happiness is the strength and comeliness of a race of men.*

21. Those who are employed in agriculture, if not oppressed by the superior orders, if permitted to enjoy competent independence and rustic plenty, remote from the contagion of intemperance, are known to excel in strength, comeliness, and good health, every other class of men in civilized nations ; and are only excelled in those respects by some simple tribes of men, who enjoy the advantages common to both in a still higher degree.

* If it be asked what is the most natural state of human kind, it may be replied, that in which the whole tribe or race approach near to one common standard of comeliness and strength, without any mixture of deformed, dwarfish, or mutilated individuals. In other species of animals, this is always found to take place in their natural state.

If we would ascertain whether the slaves of antiquity were more or less happy than the modern artisans, manufacturers, cottars, and men of various degraded ranks and vocations, abounding in great cities, we ought to inquire whether they degenerated as perceptibly, and became as dwarfish and deformed, as the races of these men become.

22. From all these considerations it may perhaps appear that the best, plainest, and most effectual plan which any government can pursue for increasing the happiness and the numbers of its people is to increase the number of independent cultivators, to facilitate their establishments, and to bring into that favourable situation as great a number of citizens as the extent of its territory will admit. Of two nations equal in extent of territory and in number of citizens, that may be accounted the happiest in which the number of independent cultivators is the greatest.

23. Any given country will then have the greatest possible number of independent cultivators, when each individual of mature age shall be possessed of an equal share of the soil; and in such country the common measure or standard of happiness will probably have reached its highest degree.

Whether therefore we inquire into the natural rights and privileges of men, or consult for the best interests of the greater number, the same practical regulations for the economy of property in land seem to result from either inquiry.

24. Whatsoever plans seem to promise the increase of wealth, happiness, and numbers in any other channel than the freedom and independence of cultivation, are of a more doubtful nature, and may well have their claim to public encouragement postponed until this paramount object of good policy be carried to its utmost perfection.*

* That nation is greatly deceived and misled which bestows any encouragement on manufactures for exportation, or for any purpose but the necessary internal supply, until the great manufactures of grain and

25. Manufactures and commerce promise such augmentation of wealth and people. Some degree of both is requisite for the progress of agriculture, and must attend it ; but neither of them can in any situation of things have any title to encouragement at the risk of obstructing independent agriculture. The balance of their respective claims may always be adjusted in the most unexceptionable manner, by leaving men wholly to their free choice, and removing all obstruction and monopoly equally from the pursuit of both. Let all freedom be given to him who has stock, to employ it in any sort of trade, manufacture, or agriculture, that he may choose ; and let it be made equally easy for the farmer to acquire the full property of the soil on which he is to exercise his industry, as for the manufacturer to acquire the full property of the rude materials he is to work up.*

pasturage are carried to their utmost extent. It can never be the interest of the community to do so ; it may be that of the landholders, who desire indeed to be considered as the nation itself, or at least as being representatives of the nation, and having the same interest with the whole body of the people.

In fact, however, their interest is, in some most important respects, directly opposite to that of the great body of the community, over whom they exercise an ill-regulated jurisdiction, together with an oppressive monopoly in the commerce of land to be hired for cultivation.

The encouragements granted to commerce and manufactures, and so universally extolled, seem merely schemes devised for employing the poor and finding subsistence for them, in that manner which may bring most immediate profit to the rich : and these methods, are, if not deliberately, at least without inquiry, preferred to others, which might bring greater advantage to the body of the people directly, and ultimately even to the rich themselves.

* The progress of agriculture will more readily excite the activity of manufactures, and carry that branch of national industry to its proper pitch, than the progress of manufactures will carry agriculture to its most prosperous state, though each, it must be confessed, has a reciprocal influence on the other.

In certain countries, manufactures seem to have advanced beyond their

26. That every field should be cultivated by its proprietor, is most favourable to agriculture, and cultivation. That every individual who would choose it should be the proprietor of a field, and employed in its cultivation, is most favourable to happiness, and to virtue. In the combination of both circumstances will be found the most consummate prosperity of a people and of their country,—and the best plan for accommodating the original right of universal occupancy with the acquired rights of labour.*

proper pitch, and begin very sensibly to affect the race of people and their manners.

Notwithstanding the great progress which agriculture has made in England, still greater remains to be made : though regarded by foreign nations as an example worthy of imitation, it remains for Britain still to surpass the best examples hitherto given.

The chief obstacle to rapid improvement of agriculture is plainly that monopoly of land which resides in the proprietors, and which the commercial system of the present age has taught them to exercise with artful strictness, almost everywhere.

* The fields around every gentleman's seat are cultivated in a better manner, and raised to a higher degree of fertility, than those of the adjacent farms, because they have been for ages cultivated by the proprietors of the soil : in them is seen to what degree of fertility the whole cultivable lands of any country may be brought, were every field in like manner cultivated by its proprietor.

There is no natural obstacle to prevent the most barren ground from being brought by culture to the same degree of fertility with the kitchen garden of a villa, or the suburbs of a great town. An attentive application of the natural manure of the fields may effect it in a long course of time : the plentiful and judicious use of extraneous manures, the great fund of which in the limestone quarries and marl pits of the earth cannot be exhausted, will accomplish it in a much shorter period ; but the present care and the secure interest of a proprietor is required for both.

With a view to depreciate the public credit and resources of this nation, it has been observed that England has almost no uncultivated land to be improved. But the author (Dr. Franklin, in a paper circulated in 1777) of that observation knows well, that four-fifth parts of the cultivated lands of England are cultivated in a very im-

perfect manner, and may be yet raised to a fertility twice if not three times as great as that which they presently have.—This is a fund to which the wisdom of the nation may sometime have recourse, and by which the industry and internal wealth of the community may be supported, even in the worst extremities; nor can it be torn from us but with the independence of the State.

An unlimited property in land ought not to be possessed by any citizen; a restricted property in land cannot be communicated to too great a number.

That high prosperity which some states have attained, by the encouragement of manufactures, and the prosecution of commerce, on enlarged and liberal principles, has become of late the object of emulation, perhaps of envy, to others, so that all civilized nations are now impatient to become manufacturing and commercial in their turn. Yet before the example was set, no one had apprehended the possibility of exciting so much active industry, nor the important effects it was to produce in the great system of Europe.

Hereafter, perhaps, some fortunate nation will give the example of setting agriculture free from its fetters also, and of introducing a change in that department of industry, similar to that which has been accomplished in manufactures and commerce, by the dissolving of monopolies, and removing obstructions and restraints. A new emulation will then arise among the nations hastening to acquire that still higher vigour and prosperity, which the emancipation of the first and most useful of all arts cannot fail to produce.

Cultivation by slaves, by villeins, and by *metayers*, have succeeded one another all over the west of Europe. In England, even the last of these is totally worn out, and has given place to cultivation by farmers, whilst in France two-third parts of the land is still cultivated by *metayers*, and in Germany, Hungary, Poland, and Russia a yet greater proportion is still cultivated by villeins and slaves. In all these successive changes the landholder has still found his advantage in communicating to the occupier of the ground a greater and greater degree of security in his possession, and the public prosperity has kept pace with this good administration of the landholder's private estate. England perhaps owes that power and lustre, by which she surpasses other nations, chiefly to her having preceded them in the prosecution of these changes. Ought it not therefore to be tried whether the landholder may not still further improve his own interest, as well as the public good, by pursuing the same line a little farther, and communicating still greater security and independence to the cultivators of his fields?

No impracticable Utopian scheme can be said to be suggested, in proposing that property in land should be diffused to as great a number of citizens as may desire it: that is only proposing to carry somewhat

farther, and render more extensive, a plan which the experience of many ages has shown to be very practicable, and highly beneficial in every public and private respect.

It is the oppression of the landholders and their agents, which has ever been the bane of Europe, more than even the oppression of the most arbitrary governments; and the absence of this more close and prying oppression renders the despotic governments of the East not intolerable to their subjects. However numerous and powerful that body of men, by whom this oppressive right is presently exercised, it may in the course of ages be reduced within proper limits, as other exorbitant invasions of the common rights of men have sometimes been.

The institutions of the Mosaic law respecting property in land have been but little attended to by the learned.

To that most respectable system an appeal may be made in support of these speculations; for the aim of the Mosaic regulations plainly is, that every field should be cultivated by its proprietor, and that every descendant of Jacob should possess in full property a field which he might cultivate.

Whoever shall consider the probable effect of such an institution in increasing the number of people, will cease to wonder at the uncommon populousness of Judea in ancient times. The same effect might be renewed in that country, could these Agrarian regulations be restored to their force. The same effect might be exhibited in almost any district of Europe in which they could be established for any length of time.

While sovereigns, judges, and clergymen, have made continual reference to the Mosaic law, as to a standard by which their regulations and their claims were justified and enforced, it may seem strange, and worthy of regret, that the common people have never had recourse to the same standard, and claimed the advantages of an Agrarian institution, so favourable to the independence of agriculture, the increase of population, and the comfortable state of the lower classes of men.

Occasion will be found of treating more at length of the Mosaic Agrarian, considered as an economical regulation, in a history of property in land, which may hereafter be offered to the public.

In any just system of regulations relative to property in land, the chief difficulty must be to reconcile the interests of an improving agriculture with the natural rights of every individual to a certain share of the soil of his country; but in the present state of municipal law in Europe, the interest of improving agriculture is sacrificed, and yet the right of the people to a common possession, or to equal shares on partition, is not provided for. Both are given up, in favour of the lordly rights of one pre-eminent order of men.

SECTION III.

Of the Abuse and Pernicious Effects of that Exorbitant Right of Property in Land, which the Municipal Laws of Europe have established.

27. **T**HE means by which a state may attain or approach near to this consummate prosperity cannot be thought to exceed the compass of human wisdom duly applied ; yet if we consider the nature and the effects of that system of property in land, which has superseded all others in the enlightened nations of Europe, and against which hardly any complaint has arisen, we shall find them very different from what might be expected of any system, in which even the smallest attention was paid to the natural rights, or the attainable happiness of the great body of the people.

Of a million of acres, scarcely twenty thousand are cultivated by proprietors.

Of a thousand citizens, masters of families, scarcely five hundred are employed in cultivating the soil for their own account, while four hundred and fifty of the remainder would prefer (or at the time of choosing their employment for life would have preferred) that to their present occupation, could they procure on reasonable terms the opportunity of exercising it.

Of five hundred cultivators, not more than twenty are proprietors, or have any permanent tenure of the soil which they cultivate.

Of ten thousand acres, scarcely ten are raised to that highest degree of fertility which experience has shown that the common soil of the country may be brought to, by the judicious culture of occupiers, to whom the remotest advantages of that improvement are secured.

Of one thousand people, not five can be thought to be endowed with that degree of strength and comeliness, which nature seems to have intended for the human race.

28. All these untoward circumstances, which take place in most countries in Europe, in a higher degree than what is here specified, may be traced up, as to their cause, to that exclusive right to the improvable value of the soil which a few men, never in any country exceeding one hundredth part of the community, are permitted to engross—a most oppressive privilege, by the operation of which the happiness of mankind has been for ages more invaded and restrained, than by all the tyranny of kings, the imposture of priests, and the chicane of lawyers taken together, though these are supposed to be the greatest evils that afflict the societies of human kind.

29. The silent but pervading energy of this oppression comes home to the bosoms and to the firesides of the lowest orders of men, who are thereby rendered mean-spirited and servile. It begets in them also, for their own defence, so much cunning, fraud, hypocrisy, and malignant envy towards those who enjoy affluence, that by its wide and continual operation the virtue of mankind is more corrupted, and their minds more debased, than by all the luxury and ostentatious meanness of courts, together with the debauched indigence and riotous profusion of great cities.

30. Whatever good reasons may be given for restraining money-holders from taking too high interest, may with still greater force be applied to restraining proprietors of land from an abuse of their right. By exacting exorbitant rents, they exercise a most pernicious usury, and deprive industry that is actually exerted of its due reward. By granting only short leases, they stifle and prevent the exertion of that industry which is ready at all times to spring up, were the cultivation of the soil laid open upon equitable terms.*

* For what reason is the money-holder prohibited from taking the highest interest, or premium, which he can bargain with the borrower to give? Chiefly, that he may not thus have it in his power to damp the active spirit of commerce and of industry, by levying too high a tax on the means by which it is to be exerted. Why then should not the landholder be restrained from taxing at too high a rate the means of exerting that sort of industry which is of all others the most essential to the community; and is even necessary for the salutary occupation and best condition of the greater number of its members? In restraining the interest of money, the legislatures of most countries have not feared to impose a check on the free enjoyment of the reward of industry in its most recent form; for that reward in its first accumulation, and nearest to the sources, consists always of money, to be lent out at interest, which is afterwards converted into property in land.

All other kinds of property, as that of the money-holder in his cash, of the inventor in his inventions, even that of the writer in his books, are limited and regulated, by the consideration of what is supposed to tend to the greatest public utility: why ought not then the property of the landholder in his lands, which is the most extensive and most important of all, to be submitted to restrictions of the same tendency?

Much praise has been bestowed, and not unjustly, on the advantages of that free circulation and ready commerce which is now established in most countries of Europe. It is, indeed, extremely favourable to the industry of men, and to the provision of a supply for all their wants, that whoever possesses skill, art, or diligence of any kind, may find the materials whereon to exercise his talents at a moderate price; and may bring the produce of his labour to a free market.

This freedom is enjoyed completely by every sort of mechanic, manufacturer, and artist, excepting only the cultivator of the ground, who is of all others the most essential artisan to the welfare of the community.—

31. It is of more importance to the community, that regulations should be imposed on the proprietors of land, than on the proprietors of money; for land is the principal stock of every nation, the principal subject of industry, and that the use of which is most necessary for the happiness and due employment of every individual.

32. Nor is it less practicable to adapt regulations to the use of land than to the use of money, were the legislative body equally well inclined to impose salutary restrictions on both. The glaring abuses of the one

He, indeed, in many countries may now bring his produce to a free and open market, but he cannot so easily find the rude materials of his industry at a reasonable price: for he is confined in his inquiry and choice to that narrow district of country with which he is acquainted, and even to the small number of farms that may happen to fall vacant about the same time with his own: in this narrow district a monopoly is established against him in the hands of a few landholders; in this respect his situation is much inferior to that of the artisan, who can go to a cheap market wherever it is found, and can bring his rude materials from a great distance to his home; but the cultivator must carry his home to his rude materials when he has found them.

In another more important respect, the condition of the cultivator is still worse: every other artisan, when he has purchased his rude materials, becomes sole proprietor of them for ever, and whatever skill or diligence he bestows in improving or refining them, whatever additional value he gives them, no other person has any right to the whole or to any part of it. It is rarely, indeed, that the cultivator can purchase his materials on such terms; the fields he has improved he must surrender at a fixed period, and cannot separate the improvements he has made to carry them away with him. Is he not nearly in the state of a borrower of money, who, after thirty-one years' certain possession of the sum borrowed, paying regularly a large interest, should be obliged to refund the capital, and to pay along with it whatever he had gained by the use of the money, and had not thought proper to spend in his daily subsistence?

Would it not at least be fair, that if the cultivator cannot purchase his rude materials in perpetual property, he may be permitted to carry off the additional improvement he has made; or (if that cannot be separated from the original subject) entitled to require some equivalent for its value?

might be as effectually prevented as those of the other ; although the total exclusion of all manner of abuse from either, is not to be looked for. But that class of men in whom the strength of every government resides, and the right of making or the power of influencing and controlling those who possess the right of making laws, have generally been borrowers of money and proprietors of land.

33. Simple rustics are naturally averse to quit their native soil, and the narrow circuit of that neighbourhood in which their youth has been spent. Hence the unlimited right of property in land becomes a monopoly in the hands of the proprietors of every district : a monopoly which tends not less to the starving of their fellow-citizens, than a monopoly of bakers without any control or inspection of the magistrate would do. It will not produce its effects very suddenly indeed : it is only a lingering piecemeal famine, under which the individual languishes, and the race becomes dwarfish, debilitated, and deformed.*

* The monopoly of rude materials, indispensably requisite for carrying on any branch of industry, is far more pernicious than the monopoly of manufactured commodities ready for consumption. The monopoly possessed by landholders is of the first sort, and affects the prime material of the most essential industry.

This monopoly, indeed, cannot be said to take place in any country, until the age of military suite and services be past, and the reign of law and of order well established. Till that time the landholder stands no less in need of brave and strong men to assist and defend him, and attached to his interest, than these men stand in need of cultivable soil on which their industry may be exercised in the intervals of tumult, and from which the subsistence of their families may be procured. Each party, therefore, having a commodity to traffic, of which the other stands in need, the bargain will be made on equitable terms.

The monopoly possessed by landholders enables them to deprive the peasants not only of the due reward of industry exercised on the soil,

34. What other cause than this pernicious monopoly can be assigned, why population has been so long at a stand in Europe, and does not advance with nearly the same rapidity as in America; since so much land remains in every country that may be cultivated, or improved, at little more, perhaps equal, or less expense, than the forests of the new world can be cleared? Vicinity would compensate some difference in expense, but the persons who would be inclined to bestow their labour on these European wastes, cannot hope to obtain property in them on reasonable terms.*

but also of that which they may have opportunity of exercising in any other way, and on any other subject; and hence arises the most obvious interest of the landholder, in promoting manufactures.

There are districts in which the landholder's rents have been doubled within fifty years, in consequence of a branch of manufacture being introduced and flourishing, without any improvement in the mode of agriculture, or any considerable increase of the produce of the soil. Here, therefore, the landlords are great gainers, but by what industry or attention have they earned their profits? How have they contributed to the progress of this manufacture, unless by forbearing to obstruct it? and yet from the necessity under which the manufacturing poor lived, of resorting to these landholders to purchase from them the use of houses and land, for the residence of their families, they have been enabled to tax their humble industry at a very high rate, and to rob them of perhaps more than one-half of its reward.

Had the manufacturers of such districts possessed what every citizen seems entitled to have, a secure home of their own, had they enjoyed full property in their lands, would not then the reward of their industrious labour have remained entire in their own hands?

* What is it that in England restrains the early marriages of the poor and industrious classes of men? Alas! not the Marriage Act, but a system of institutions more difficult to be reformed; establishing in a few hands that monopoly of land by which the improvable as well as the improved value of the soil is engrossed. It is this which chiefly occasions the difficulty of their finding early and comfortable settlements in life, and so prevents the consent of parents from being given before the legal age. It is this difficulty which even after that age is passed

35. What other reason can be given, than the influence of this monopoly, why in countries, for many ages not thinly inhabited, nor unacquainted with the arts of agriculture, so great a proportion of the soil should still remain barren, or at least far below that state of fertility, to which the judicious cultivation of independent occupiers could bring it? If in any country this monopoly were abated or removed, population and agriculture would advance together gradually, perhaps rapidly; nor would they find any limit to their progress, until every two acres of dry land, the ridges of mountains excepted, were rendered capable of maintaining a man; and until the population of that country, if it does not already exceed the mean population of Europe, were increased perhaps five-fold.*

36. While the cultivable lands remain locked up, as it were, under the present monopoly, any considerable increase of population in a particular state, though it seems to add to the public strength, must have a pernicious influence on the relative interests of society,

still withholds the consent of parents, restrains the inclinations of the parties themselves, and keeps so great a number of the lower classes unmarried to their thirtieth or fortieth years, perhaps for their whole lives.

* Let it be considered what regulations a colony of men settling in a small island, just sufficient to furnish them subsistence, by the aid of high cultivation, would probably establish in order to render the independent subsistence of each individual secure, and to prevent any one, or a few, from engrossing the territory, or acquiring a greater share than might be consistent with the public good? Just such regulations respecting property in land, it would be the interest of every state to establish at any period of its history. The supposed state of this colony, whose land, aided by the highest cultivation, is but just sufficient to maintain its people, is that to which every nation ought to aspire, as to its most perfect state; and to that state the progress of physical causes will bring it forward, if no political obstructions are interposed.

and the happiness of the greater number. By diminishing the wages of labour, it favours the rich, fosters their luxury, their vanity, their arrogance ; while on the other hand, it deprives the poor of some share of their just reward and necessary subsistence. While this monopoly subsists, the celibacy of the Roman Catholic clergy is far less detrimental in a political light, than it has been supposed to be. Justly might that order retort on the landholders the accusation of retarding the population of the State.

37. When mention is made in political reasonings of the interest of any nation, and those circumstances, by which it is supposed to be injured or promoted, are canvassed, it is generally the interest of the landholders that is kept in view : nor would there be any mistake in this, if all men were admitted to claim, if they chose it, their natural share of the soil. The prevalence of this manner of speaking and reasoning may well be construed to indicate, amid all the artificial establishments of society, a secret though confused perception of this original right.

38. Regarding the whole wealth of the community, as belonging of right to themselves, landholders stand foremost in opposing the imposition of exorbitant taxes by the State, forgetting the exorbitancy of that taxation which they themselves impose on the cultivators of the soil, and which the sovereign may in justice, and in the way of retaliation ought to, regulate and restrain. They clamour aloud against pensions and sinecure places, bestowed by the sovereign, not adverting that their own large incomes are indeed pensions, and salaries of sinecure



offices, which they derive from the partiality of municipal law in favour of that order of men by whom its regulations are virtually enacted. The injury done to the community at large is the same, whether such unjust distribution be made by the chief magistrate, or by the system of laws itself. The injustice proceeding from the latter will always be more permanent, and more extensive. Against the tithes of the clergy, landholders have been accustomed to complain bitterly, as the bane of agriculture, as an usurpation on their own most evident rights, as wages exacted for which little or no duty is performed. But, while the bad effects of a tithe right must be acknowledged, in checking improvement, and robbing humble industry of its due reward; the right of the landholder must be allowed to operate in the same manner, with more unlimited force. The foundation of both rights, notwithstanding prejudices on either side, is precisely the same, viz., the improvident regulations of municipal law. And if any pretensions to a higher original are advanced, those in favour of the tithe right are no doubt most plausible. If considered as the reward of duties, to be performed to the public, the incomes of the clergy, after admitting all that spleen has advanced against that order of men, must appear by far better earned. How slight indeed in themselves, and how negligently performed, are those duties which the State seems to expect at the hands of landholders, in return for their affluence?

39. The public good requires that every individual should be excited to employ his industry in increasing the public stock, or to exert his talents in the public service, by the certainty of a due reward. Whoever

enjoys any revenue, not proportioned to such industry or exertion of his own, or of his ancestors, is a freebooter, who has found means to cheat or to rob the public, and more especially the indigent of that district in which he lives. But the hereditary revenue of a great landholder is wholly independent of his industry, and secure from every danger that does not threaten the whole State. It increases also without any effort of his, and in proportion to the industry of those who cultivate the soil. In respect of their industry, therefore, it is a *taille* or progressive tax of the most pernicious nature, and in respect of the landholder himself, it is a premium given to idleness, an inducement to refrain from any active useful employment, and to withhold his talents, whatever they are, from the service of his country. If the circumstances in which he finds himself placed stimulate to any exertion at all, it is that insidious vigilance by which he himself is debased, and his dependents at once corrupted and oppressed.*

* It has been required of the magistrate that he should with the same assiduity apply rewards to virtue as punishment to vice. The part which he has to act in respect of these cases is very different. The natural sentiments of men are sufficient to repress smaller vices, and to encourage and reward great and striking virtues; but they are not vigorous enough to apply adequate punishment to great crimes, nor steady and uniform enough to secure due reward and regular encouragement to the common and ordinary virtues of human life. It is to great crimes, therefore, that the magistrate must apply fit punishment, and protection he must give to the ordinary virtues. Of these there is none which will stand more in need of his protection, or may be more effectually reached by his care, than industry. The cultivation of the soil is by far the most extensive and most important branch of national industry, and in all respects most worthy of the magistrate's peculiar attention.

Every man, and every order of men, have their peculiar commodity, which they bring to market for the service of the community, and for procuring the means of their own subsistence. It would be injustice and

40. The indirect and remote influences of this monopoly are productive of many unnatural situations and many pernicious effects, which the skill of legislature is frequently employed in vain to redress. Were this monopoly anywhere removed, and the cultivation of the soil laid open upon reasonable terms, the lowest classes of men would not be destitute of wherewithal to maintain their decayed and infirm relations and neighbours.* These charitable attentions, prompted by private

oppression, therefore, in any one order to impose restrictions on any other, respecting the price they may demand for their peculiar commodity. This injustice, however, certain higher orders have attempted, though generally without success, to put in practice, on various occasions, against their inferiors—against hired servants, day labourers, journeymen, and artists of various kinds—by prescribing limits to the wages they are allowed to ask or to receive.

These lower classes of citizens have only the labour of their hands for their commodity, and if any is more than another entitled to the privileges of a free and equal market, it is surely that which may be accounted more immediately the gift of nature to each.

The community has a right, no doubt, to restrain individuals from doing aught that may be pernicious or offensive: what right it can have to compel them to exert their industry for the public service, at a regulated price, may admit of question, excepting only those cases in which the safety of the State is brought into immediate and evident danger. This will not be alleged when journeymen tailors, or even farm servants, refuse to work without an increase of wages.

* England virtually acknowledges, by the system of her poor laws, that right of common occupation of the territory of the State which belongs to every individual citizen, and has only varied, perhaps mistaken, the natural means of rendering that right effectual.

It has been common of late to complain of, and to traduce, this the most generous and the most respectable establishment of which the jurisprudence of nations can boast. It is the monopoly of landholders that renders such an establishment necessary; it is their discontent that aggravates the complaints against it. All men who can regard the interests of the poor, and of the landholders, with an impartial eye, will perceive that it is not less just than generous, and will find reason to

affection, would be better discharged, than when they devolve on the public; and all that encouragement to idleness, that waste, and mismanagement, inseparable

think that it has proved highly beneficial to England, in respect of the spirit of her people.

The abuses which may have crept into this respectable system of laws, ought not to be alleged against its utility, for even in the most perverted state of the institution the abuses are fully compensated by equivalent advantages; and that they are not in a great measure rectified and removed is the fault of those only whose interest and whose duty require them to attend to this care.

Even while they subsist, the chief abuses of the poor laws tend more to the advantage of the poor than of the rich; and of all permanent institutions, there is no other, perhaps, of which this can be affirmed.

No regulation could tend more effectually to promote a reduction of poor rates than the establishment of certain branches of a progressive Agrarian law; and it might deserve consideration, whether other methods of reducing these rates, which are attempted, and which may be supposed by the poor themselves to bear hard on the freedom of their condition, ought not to be accompanied with some establishment of that nature; which, whilst it might contribute effectually to alleviate the burden of the rates, would tend, at the same time, to convert this class of men into a new source of national wealth and of increasing force.

The great amount of the poor rates is justly imputed to this, that, whilst young and healthy, the lower classes of labourers and servants do not save their wages as they might, for the assistance of their old age. The reason why they do not save for that purpose, is supposed to be the assurance they have of being maintained by the parish when they come to stand in need of it. Another reason might be given: they do not save, because they see no probable view of obtaining by such saving a comfortable settlement, in which they may spend their old age with their families around them. "I never yet knew," says a writer who has observed them well (*Farmer's Letters*, p. 294), "one instance of any poor man's working diligently, while in health, to escape coming to the parish when ill or old. Some will aim at taking little farms; but if by any means they are disappointed in their endeavours, they consider the money they have already saved as of no further value, and spend it long before they really need it." Almost all of them, it may be believed, would aim at taking small farms, were the opportunities frequent, and the terms easy.

That much of the dissipation and profligacy of the poor arises from

from poor rates, and other public institutions of this sort, would be spared. In any country were this monopoly abolished, sumptuary laws, which might have the most salutary effects on the manners, and character, and even on the prosperity of a people, would not be politically absurd and pernicious, as in the present state of Europe they must be confessed to be.*

their not having a proper object of saving offered to their hopes, was surely the opinion of those who framed an excellent bill which, in 1773, passed through the House of Commons, for inviting the poor to set apart money, for the purchase of annuities, in their respective parishes and townships.

An annuity may be a very proper object for the unmarried, and those who purpose to have none but themselves to care for; but the natural object of every young peasant is a small farm on which he may settle with the companion of his affections, and raise a family of his own; for this object, if it appears attainable, far the greater number of them will work hard and save with economy.

Perhaps no better reason can be given for the great increase of poor rates in England, since the reign of Charles II. (while in Wales, they remain almost the same) than the increase of manufactures and the diminished number of small farms.

* Sumptuary laws have been frequently turned into ridicule, and not unjustly, as pretending to maintain an impracticable simplicity, and an unnecessary austerity of manners, among the great body of citizens; but they deserve a very different estimation, if considered as means of directing the public industry to those exertions which may be productive of the most extensive utility, and most valuable enjoyments to the community at large.

If those persons who spend their days in the manufactures of velvet and of lace could be induced to employ the same industry in raising grain, potatoes, and flax, would they not, by increasing the plenty of these necessary commodities, augment the real accommodation of a very numerous class of citizens? And would not the happiness thence arising more than compensate the scarcity of those frivolous refinements which may be required for the gratification of a few?

Why should it be necessary to restrain the industry which ministers to luxury? Because the industry which is productive of essential plenty is restrained. If the cultivation of the fields was laid open on reasonable terms, would not the imposition of taxes on arts and manufactures, subservient to luxury, tend to encourage the increase of useful commodities, fit for general consumption?

In a country where the opportunities of exercising a natural employment, and finding an easy subsistence, were thus laid open to all, the temptations to theft and other violations of property would be very much diminished; nor could it be thought necessary to restrain such crimes by the unnatural severity of capital punishments.

In such a country no suspicion could arise, no surmise would be listened to, that the invention of machines for facilitating mechanical labour, could ever be pernicious to the common people, or adverse to the prosperity of the State. The plough itself is the first machine against which any imputation of this kind could be admitted, and the time might indeed come when such imputation would be just.

41. That legislature which is not willing, or must not venture to remove this monopoly from the lands of the State, owes it in justice and in tenderness to the persons born under its protection, that emigration at least should be free; or rather, that it should be encouraged and facilitated, to all who desire to remove into countries, less fully settled, in search of their natural rights, and most salutary occupation. This may indeed seem to impair the national strength, by diminution of numbers, and it will undoubtedly affect the interest of the higher ranks; but by raising the wages of labour, it must increase the prosperity of the lower and more numerous ranks.* To increase the prosperity and the

* To a wise and benevolent legislature it can never appear that the free course of emigration could prove detrimental to the community over which that legislature presides. For what are the effects of a free and a brisk emigration? It operates in two ways, on two different classes of men. It betters the circumstances of all those who derive their subsist-

happiness of the greater number is the primary object of government, and the increase of national happiness must be the increase of national strength. Besides that the equilibrium of happiness between the old country and the new would be found, long before any considerable diminution of numbers had taken place in the former. Is it not the duty then, and perhaps also the interest, of every legislature in the west of Europe, to promote the emigration of its less opulent subjects, until the condition of the lower classes of men at home be rendered nearly as comfortable as the condition of the same classes in the new settlements of North America?

42. Perhaps no government can claim to itself the praise of having attended with the same impartial care, to the interests of the lower, as of the higher classes of men. Those who are employed in cultivating the soil are placed below the regard of men in higher stations of public dignity and trust; nor are their sufferings and wrongs obtruded on every eye, like the misery of the begging poor. They themselves are not much accustomed to reflection; they submit in most countries to their hard fate, as to the laws of nature, nor are they skilled, when severer oppression has at any time awaked

ence from the produce of their labour. It impairs the circumstances of all those who are supported by a tax or impost, collected from the labour of other people. It betters, therefore, the circumstances of nine millions eight hundred thousand out of ten millions of people; it impairs the circumstances of one hundred thousand; and to a hundred thousand persons, who live partly on the produce of their own labour, and partly on a tax collected from others, the effect is indifferent.

Emigration is part of the plan pursued by nature in peopling the earth; and laws directed to oppose or restrain it may be suspected of the same absurd and unnatural tendency as laws for restraining population itself.

them to a sense of the injustice they suffer, in making known their feelings and their complaints to others. But if the intelligent, and the friends of mankind, will take some pains to inquire into the nature and extent of that oppression, under which the industrious peasants groan in secret, and the force of that exorbitant monopoly, from whence their grievances proceed ; and if such men will employ the talents which nature hath given them, in explaining these grievances, and the rigour of that monopoly, to the whole world,—Europe, enlightened Europe, will not be able to endure it much longer ; and the subversion—nay, even the abatement—of this monopoly, with the abuses flowing from it, may well deserve to be accounted the best, and most valuable fruit of all her refinements and speculations.

43. If it be indeed possible to accomplish any great improvement in the state of human affairs, and to unite the essential equality of a rude state, with the order, refinements, and accommodations of cultivated ages, such improvement is not so likely to be brought about by any means, as by a just and enlightened policy respecting property in land. It is a subject intimately connected with the proper occupation and the comfortable subsistence of men ; that is, with their virtue and their happiness. It is of a real substantial nature, on which the regulations of law may be made to operate with efficacy, and even with precision.

44. So powerful and salutary might the good effects of such an enlightened policy prove, so beneficial such a restoration of the claims of nature and the general birth-rights of mankind, that it might alone suffice to renovate

the strength of nations, exhausted by civil war, or by great and unsuccessful enterprises ; and even in the most flourishing states, it might give rise to a new era of prosperity, surpassing all example, and all expectation that may reasonably be founded on any other means of improvement.

PART II.

SECTION I.

Of Circumstances and Occasions favourable to a complete Reformation of the Laws respecting Property in Land, by the sovereign or legislative power.

45. **I**F, indeed, we consider only how far the present state of property in land, even in the most flourishing and best governed nations of Europe, is removed from that more equitable and advantageous system, which tends to establish in every country the greatest number of independent freehold cultivators that the territory of the State can admit, we may almost be led to despair, that any great progress can be made towards so remote an improvement, however justly, and however much it may be desired.—On the other hand, the actual system of landed property in the West of Europe is greatly changed, and in some respects greatly improved, from what it has formerly been. It has varied its form, with the prevailing character of successive ages*; it has been accommodated to the rude simplicity

* In the progress of the European system of landed property, three stages may be distinguished—the domestic, the feudal, and the commercial. In the first, the condition of the cultivator was secured from any great oppression, by the affectionate sympathy of the chief of his clan.

In the second, it was still secured, and almost as effectually secured,

of the more ancient times, to the feudal chivalry of the middle centuries, and to the increasing industry and cultivation of later more tranquil periods : it may now therefore be expected to receive a new modification, from the genius and maxims of a commercial age, to which it is too manifest that the latest establishment of landed property is by no means adapted, and that from this incongruity the most pernicious and most flagrant oppressions arise.

That free discussion which every subject now receives gives reason to hope that truth and utility will always triumph, however slowly ; and various examples may be offered to confirm these hopes. In politics, in agriculture,

by that need which his lord had of attachment, assistance, and support, in the frequent military enterprises and dangers in which he was engaged.

But in the commercial state there is no natural check which may establish the security of the cultivator ; and his lord has hardly any obvious interest but to squeeze his industry as much as he can. It remains, therefore, for the legislatures of different countries to establish some control for protecting the essential interests of their common people. It is an object which deserves, and will reward, their care. In the dark and disorderly ages the oppression exercised over the cultivators could not be reduced to a system. Their landlords depended on their assistance and military services, and would not, therefore, hazard the diminution of their attachment. If at any time the landlord endeavoured to exact more than they were inclined to give, means of concealment and evasion were not wanting, by which his rapacity might be effectually eluded. But in the present times there is no reciprocal dependence, and all means of concealment and evasion are rendered by the order of our laws uncertain, or, indeed, vain.

In those disorderly times, whatever oppression, or chance of oppression, the cultivators of the field were exposed to, they saw their landlords exposed to others, perhaps greater and more frequent ; there was common to both an uncertainty in the possession of their just rights ; and to compensate this, a chance of obtaining by address somewhat beyond these rights. In the present times, these common chances are removed by the protection of established government. The rights of the higher orders are rendered perfectly secure, while those of the cultivators are laid open to their oppressions.

in commerce, many errors have been rectified in theory, and even the practice in some, though not in an equal degree, reformed. And shall it be reckoned, then, that in this, the most important of all temporal concerns to the greatest number of mankind, the most pernicious errors will be suffered to remain still unrefuted, or if not unrefuted still unreformed? It is not permitted to the friends of mankind to despair of aught which may tend to improve the general happiness of their species, any more than it is consistent with a magnanimous and genuine patriotism ever to despair of the safety of our country.

There have not been wanting in former times, nor will there fail hereafter to arise in the course of human affairs, occasions, conjunctures, and situations, in which a new and perfect system of property in land might be completely established at once;—other conjunctures, other situations of much more frequent occurrence, are favourable, in a greater or a less degree, to partial reformation, and progressive improvement of the ancient system; and in many cases where public care cannot be effectually applied, the beneficence and even the interest of particular persons, well directed, may be made to produce no inconsiderable effects, and to furnish examples of that which the rulers of mankind ought to aim at producing in a large extent.

46. Conquering princes, and great revolutions effected by the prevailing force of arms, have not often made their appearance on the theatre of the world in modern times; but the longer that interval which has elapsed is, the greater probability there seems to be, that some new phenomena of this interesting sort, are about to be presented to the nations of the earth.

At the head of his victorious army, a conquering monarch has it in his power, no doubt, to re-establish in the subjected state, the inherent rights of mankind, and the system of natural justice, with regard to the property of the soil. He may even perceive it to be in all probability the best security of his new acquisitions, and certainly the best foundation of his claim to immortal renown. It were an object, and a pretext which might even in the eye of reason and philosophy almost justify the ambitious desire of conquest in the breast of an heroic prince ; or if it may not avail so far, no other pretext whatever can be admitted to do so.*

In proportion as the true principles of property in land are inquired into, canvassed, and established in theory, it becomes less improbable that heroes and conquerors, hitherto esteemed the scourges of mankind, may be led to adopt such a salutary reformation of landed property for their object ; and in the same proportion it will become more easy for them to make such magnanimous and benevolent intentions generally understood, and to engage the concurrence and good wishes of all men in their accomplishment.

* The illustrious situation of a monarch, placed at the head of victorious armies, might well inspire with generous sentiments any mind not ignobly formed, and waken a magnanimous desire of promoting the general welfare of mankind. In this manner it has operated, even on the breasts of men, numbered with barbarians, whose names and characters can with difficulty be rescued from the obscurity of Gothic annals (see *History of the Decline and Fall of the Roman Empire*, vol. iii., p. 250). To save from oblivion such authentic examples of true heroism is one of the most pleasing tasks which a historian can have to perform : to record them for the instruction of the great and powerful, in the pages of a work which may be long and often revolved, is one of the most essential services that can be rendered to mankind.

47. The establishment of new colonies, sent forth from the civilized and populous nations of Europe, may be supposed frequently to take place hereafter. The practice seems only in its commencement, and the mistakes incident to first trials are not yet corrected. Immense tracts of vacant or half-peopled countries, both maritime and inland, still invite emigrants and planters from every quarter. The southern regions of Africa and America, the Banks of the River of the Amazons, and the whole Continent of New Holland have scarcely yet received the first settlements of any race of men by whom they may be cultivated and filled. Siberia alone, it is thought, might contain the whole inhabitants of Europe more at ease than in their present habitations. Princes, instead of imprisoning their subjects, may come to perceive that a well regulated exportation of men, as of any other commodity, tends to secure and to increase the domestic produce. Even Britain will no doubt find inviting occasions (and just now perhaps has them) of sending forth new colonies, on better digested plans, with happier omens,

Et quæ fuerint minus obvia Graiis.

In every such settlement there is opportunity of establishing the just and natural system of property in land, in the most advantageous form. The fundamental laws of such a colony ought to ascertain, in precise and explicit terms, the joint property of the whole community in the whole soil—a right which in that situation of their affairs will be easily comprehended by all. They ought, further, to ascertain the permanent and indefeasible nature of this right, which no possession of individuals, nor any industry by

them applied to any portion of the soil, can ever cancel or impair.

However extensive the tract of country may then be in proportion to the number of the first settlers, general rules should even then be established, having respect to a future period when the whole territory may be found too scanty for its multiplied inhabitants. By such precautions, occasionally enforced by practical examples, it seems not impossible to prevent the formation of those erroneous opinions of private right, and those habits of possession, which in countries long settled prevent the greater number of citizens from knowing or desiring to claim their natural rights in this most important point, and which would produce the most violent opposition to their just claims, if at any time they were advanced.

48. Whatever inclination a wise and benevolent sovereign may have, to communicate to all his subjects that prosperity which the reformation of property in land seems capable of diffusing, it may appear in most cases too hazardous for the public peace, and the security of his throne, to attempt the establishment of a wise and equitable system at once, and in the whole extent of his dominions ; yet in some instances a fair opportunity is given, of making a complete change in the landed property of certain subordinate states, which, though held in absolute dependence by the sovereign, are not incorporated with, but considered as essentially distinct from, the great body of his dominions—so distinct, that no innovation in the smaller realm, is likely to give any alarm, or create any jealous discontent in the other. Such is the subjection of Courland to the throne of

Russia ; such perhaps the dependence of Milan on the House of Austria ; of Corsica on France, and of Minorca on Britain ; not to mention all those dependent states which Britain and other European nations have brought under their yoke on the Continent of Asia, and in the islands of the East.

49. Great monarchs sometimes arise, who, having confirmed the authority of an absolute sovereignty by the vigour of their natural talents, and by unremitting application to the cares and occupations of their royal office, have attained such an ascendant over all ranks of their people, that without hazard they might avow themselves the patrons of the multitude, and supporters of natural justice, in opposition to all the confederated force of the powerful and the rich. Europe sees at least one prince, to whose magnanimity and talents a complete and total reformation of the system of landed property in his dominions might be thought no unequal task, and to whose benevolent zeal for the general good of his people the idea of such a reformation might present itself as no chimerical project. In looking back through the records of modern ages, it is difficult to fix on another prince equally capable of conceiving so sublime a scheme, and of prosecuting the measures requisite for carrying it into execution ; unless, perhaps, that father of his people, who wished only to live, that he might convince the French nation how much he loved them as his children, and who hoped to see the day when every householder throughout his dominions should put a fowl into his pot on Sunday. Had the reign of this humane prince, to whom the condition of the lower classes was familiarly known, been prolonged in peace, he might

probably have bestowed more particular attention on the means by which his paternal wishes were to be realized ; the talents of his faithful minister would have been exerted in such schemes, with still greater alacrity, and perhaps with greater skill, than in those warlike preparations which busied the last years of his master's reign ; and the effects due to the joint endeavours of such a sovereign and such a minister must have followed.

Many princes who might succeed perhaps in carrying such schemes into execution, may not be endowed with that magnanimous and comprehensive turn of mind, without which they cannot be formed ; or are deficient in that courage, without which no trial will be attempted. Yet, if any plan may be concerted, by which it seems not unlikely that the happiness of mankind might be increased two-fold at once, where is the monarch who would not eagerly engage in such attempts, at whatever risk ? Where, indeed, is that monarch who enjoys so much felicity himself in the possession of a throne, that in such a cause, with the hope of accomplishing so great an advantage to his people, and obtaining such distinguished glory for himself, he ought not to risk it all ?

Mortemque pro laude pacisci.

SECTION II.

Of Circumstances and Occasions favourable to a partial Reformation of the Laws respecting Property in Land, by the sovereign or legislative power.

50. **M**ANY schemes of innovation may be thought of, which, without amounting to a complete change, or the establishment of the best system of property in land, might yet recommend themselves to the attention of absolute monarchs, as being more suddenly, and therefore more safely, to be carried into execution, than any total reformation can be, and productive of very beneficial effects, though not of the best.

Such as, 1st. To fix the rent of every farm for ever, and limit the duration of all leases to a single life of the tenant; that is, to convert leases into benefices.

2ndly. To make the duration of every lease perpetual, so long as the tenant may choose to make an addition of one-twelfth, or some other just proportion of the present rent, at the end of every thirty years.

3rdly. To make the duration of every lease perpetual, reserving to the landlord a stated proportion of the annual produce, suppose one-fifth to be paid in the staple commodity of the country; the amount of this produce to be ascertained by a jury, once in thirty years, if the landlord require it, or in twenty, if the tenant chooses.

4thly. To convert all farms into freeholds, with a reservation of the present rent to the landlord, transferring at the same time all land taxes and all public burdens whatever, with all their future augmentations from the landlord, to the new freeholders, formerly his tenants.

5thly. To establish a sort of jubilee, with regard to property in land, by enacting, that at the expiration of fifty years after the last purchase of an estate in land, every farm shall become freehold in the hands of the farmer, with reservation of the average rent of the last seven years to the landlord.

These are examples only ; many other schemes might be easily devised.

By the 1st, the landlord receives power in exchange for gain, and by the 4th, a lucrative exemption, in place of the uncertain increase of a racked rent.

By the 3rd, the claims of both parties are compromised in a manner scarcely less favourable to the landlord, and far less oppressive to the cultivator, than the conditions of leases for a limited time commonly are.

By the 2nd, the cultivator, and by the 5th, the landlord, would be excited to a diligent improvement of the fertility of the soil.

In all cases, the farms thus converted into freehold should be made subject at the same time to the laws of gavel-kind, until they are subdivided into allotments of less than forty acres, or whatever other standard may be fixed upon as best suited to the state of the community and the nature of the soil.

51. It has sometimes happened, though too rarely,

that all ranks and orders of men in a state, forgetting for a while their subordinate and particular interests, are disposed with concurring wishes to seek for, and to adopt whatever schemes may contribute most effectually to the public good, and may become the foundations of lasting order and prosperity. Such seems to have been the prevailing disposition of the Romans, when the laws of the twelve tables were enacted; such nearly that of Athens, when Solon was intrusted by his fellow citizens to compose a body of laws for their country; and such that spirit which ought to pervade, and has in general pervaded every community of men, while contending for independence, against the efforts of a more powerful state.

Should ever any happy concurrence of disposing causes produce such a temporary disposition in any of the Western nations of Europe; could the legislature, prompted by enlightened zeal for the universal good, set at naught the discontents which might arise in any particular class, and remove with ease all opposition made to their generous purposes; In this fortunate situation, it might occur to them, perhaps, that a just regulation of property in land is, of all those arrangements which the present moment could give opportunity of establishing, the most essential for diffusing prosperity and independence among the body of the people.

Pursuing this idea, biassed by no influence, awed by no faction, they might be led to enact a law, by which every person inclined to employ himself in cultivating the earth for his own subsistence, and that of his family, should be entitled to claim in full property a reasonable share of the soil of his country; without prejudice, however, to the just rights of any other persons who may

have previously bestowed their industry in cultivating and improving the same spot.

Such a law might, from the nature of its operation, be not unfitly denominated a progressive Agrarian, and might be comprised in the following articles, or others of similar effect :

- I. That every citizen, aged twenty-one years or upwards, may, if not already in possession of land, be entitled to claim from the public a certain portion, not exceeding forty acres, to be assigned him in perpetuity, for cultivation and residence, in the manner and under the conditions hereafter specified.
- II. That the claimant shall have right to choose the situation of his allotment, on any farm, freehold, or uncultivated common, within his own parish, if the same be not excepted by the other provisions of this law. If there be no unexcepted land in his own parish, he shall have right to choose in any of the parishes contiguous to his own ; and if in these there be no unexcepted land, he shall have right to choose throughout the whole district or county.
- III. This allotment shall be set apart, and its landmarks fixed by the magistrate, with the aid of an assize, or of arbitrators chosen by the parties. It shall be marked out, in the manner most convenient to both the old and the new occupiers ; it shall approach to a square, or some other compact form ; one of its sides shall run along the boundary of the old farm ; and it shall have communication with some road already patent.—None of these circumstances to be

departed from without the consent of both parties.

- IV. The ground thus set apart shall be submitted to the cognizance of an assize, or of arbitrators chosen by the parties, who shall determine what reserved perpetual rent the claimant must pay to the landlord, and what temporary rent to the former tenant (if any), in compensation of their rights.
- V. The following farms are to be exempted from all such claims.—Every farm from which, if the allotment claimed is taken away, less than forty acres will remain to the first tenant.—The farm or park belonging to the lord of the manor, the same bearing a regulated proportion only to the extent of his estate.—Every farm of whatever extent that has not been fifteen years occupied by the present tenant.—Every farm whose arable ground has been diminished one-half by claims founded on this law, shall be exempted for twenty years to come, if the tenant so desire.—All farms of barren ground taken for the sake of improvement, under such forms and regulations as may prevent the collusive evasion of this law.
- VI. The person thus acquiring property in land shall continue to reside upon his farm. He shall have right to transmit it to his heirs or assignees in full property, or under a reserved rent, but shall not have, nor transmit the right of alienating it with reversion, that is of letting the whole, or any part of it in lease.—If he sells to another, who shall not reside upon it, but annex it to some other farm, one-tenth part of the price, or of the reserved rent, shall belong to the public.

VII. The property acquired in these allotments shall not carry along with it any right of common of any sort in the commons, woodlands, private roads, or other appendages of the manor, excepting only, in the nearest well and watering-pond, and in the bog or common for turf, if that is the fuel of the country ; in which case this right is to be regulated by the usages of the manor, as if the allotment had been given off in lease only. Neither shall any use, prescription, or connivance ever in course of time procure to the holder of such allotment any right of common, that is not founded on and ascertained by express compact.

The Agrarian laws of antiquity seem to have failed in producing durable and beneficial effects, chiefly from two circumstances :

(1st.) Their operation was sudden, violent, and occasional only, whereas the progressive Agrarian is so constituted as to exert a continual influence, more or less intense, in proportion as the general interests of the community may require.

(2nd.) The ancient Agrarian laws were easily, and thus generally, evaded ; as they opposed the whole body of those who wanted lands, to the whole body of those who possessed more than the legal allotment, without assigning to individuals a specific right in any particular fields or district, a general convulsion of the State must have attended every attempt to call forth the energy of law. To avoid these tumults, all persons soon became disposed to connive at various evasions of these laws, and to acquiesce in their falling into desuetude, until some popular leader

arose and called anew for their restoration. But the progressive Agrarian assigns particular definite rights to a few men, within every district of moderate extent; it opposes the natural claims and the indigence of these few men to the exorbitant possessions and the opulence of a still smaller number within the same district. The facility of evasion must be much diminished by this regulation. The vigilance of the claimants, being confined to a narrow space, will be more awake and precise; their limited rights founded on a local claim, and derived from their birth, will be more distinctly conceived by themselves, and more readily supported by the concurring sentiments of all other men.

52. Without venturing to make openly any alteration in that system of landed property, which, like systems of corrupted religion, is regarded with superstitious reverence in countries where it has long obtained, many occasions will occur, whereof advantage may be taken to introduce under the cover of other objects, and as part of the usual proceedings of the State, such regulations as may tend very effectually, though by remote and indirect influence, to promote the independence of the plough, and the distribution of property in land, in small allotments, among the lowest ranks of the people.

If, for example, new taxes are to be levied, what subjects of taxation can be more justly liable to the imposition, or more productive, than large farms and short leases? * The landlord, by adopting these plans in

* Any tax imposed on extensive farms might from its novelty be regarded as a grievance; but the servants' tax, which is so justly popular,

the management of his estate, means to derive advantage to himself, from measures which at once obstruct the increase of population, and diminish the spirit and independence of the common people; and if his right to make these invasions on the public good cannot be directly attacked, let him at least be obliged to indemnify the public in some degree, by some other mode, more familiar to the minds of men.

A tax imposed on barren lands, and so regulated as to engage the proprietor in their immediate cultivation, or oblige him to resign them to the community for general distribution, could not be esteemed in the smallest degree unjust. His right to these barren lands is founded solely on occupation; there is no improved value superadded, no right accruing from labour bestowed, and as he occupies, besides, more than his equal share of the soil, the whole unimproved tracts of his estate belong strictly and entirely to the public; and no small indulgence is shown in giving him an option to improve or to resign them.

A tax on all augmentation of rents, even to the extent of one-half the increase, would be at once the

might be applied to the same purpose, if extended to hired servants employed in agriculture, when more than one are kept in the same family, and to rise to still higher rates in proportion to the numbers kept.

The popular voice has demanded a heavy tax on the foreign domestics, that are so frequently to be seen in the families of the rich; but the suggestion ought not to meet with attention. These foreigners are generally employed in frivolous offices in the train of opulence and luxury, and were they proscribed by the imposition of any heavy tax, an equal number of robust Englishmen would be called away from their rustic labours, and other necessary employments, allured by higher wages, to perform more awkwardly the same servile tasks, and to lead the same dissipated lives. The profitable industry of the nation would be diminished in proportion.

most equitable, the most productive, the most easily collected, and the least liable to evasion of all possible taxes, and might with inconceivable advantage disencumber a great nation from all those injudicious imposts by which its commercial exchanges are retarded and restrained, and its domestic manufactures embarrassed.*

If the increase of population is to be promoted by encouraging the marriages of the lower ranks, let every farmer be entitled to an addition of five years to the duration of his lease (whatever that may be) for the first legitimate child, and of three years for every other. Let every person whatever, not possessed of lands, and having five children, be entitled to the privileges of the Agrarian law, within a certain district.

If the improvement of agriculture is to be promoted and rewarded, let not the prize held forth to those who excel be, as it has sometimes been in France, the rank of nobility, but rather the full property, under reservation of the present rent, of those farms to which their skill and industry have been applied ; and let an annual prize or prizes of this sort be proposed not for the whole extent of a great kingdom, but for every small district and neighbourhood.

If any changes are to be made in the municipal laws, relative to succession, inheritance, or the transmission of property in any other form, let them not pass unaccompanied by the introduction of some mode of

* An absolute monarch might combine together the increase of his revenue and the encouragement of small farms in the same regulation, by imposing a heavy tax on all future increase of rent, excepting in those farms which did not exceed the extent of one plough, and were granted in lease for a term of not less than fifty years. Such an edict must operate beneficially, either by bringing money into the treasury of the State, or by increasing the number of citizens in the most useful class.

the Agrarian law, extended over the estates of those persons whose interests or caprice are consulted in the intended change. Let no land estate, for example, pass to heirs of entail, nor even to collaterals in the ordinary course of succession, without becoming subject to such a law, even in its utmost extent.

53. Certain regulations which have formerly taken place, and are like enough to be renewed in flourishing states, are of such a nature, that they ought to be accompanied by the introduction of some branches of the progressive Agrarian law, as an equivalent and compensation in some degree to those orders of men whose interests are encroached on by the change; and as a very moderate deduction from the advantages of those other orders, for whose advantage chiefly such regulations are intended, two remarkable examples may be pointed out in the reduction of interest, and the corn laws.

Every reduction of interest throws a great immediate advantage into the hands of the landholders, who are in general encumbered with debts: the interest of these debts being reduced, their actual income is thereby increased; besides, this reduction increases the value of their property in land, if they are obliged to sell off a part, or the whole; and it tends to enhance the rent of farms, by determining persons who had formerly lived on the mere annual rents of their stock, to betake themselves now to some sort of industry, and to agriculture more than any other, as being that alone which men are supposed qualified to undertake, without any particular education to fit them for it.

All those laws which prohibit the importation of

grain into any country, and still more those which give a premium on the exportation, are calculated to bestow great advantages on the farmer and landholder, though chiefly on the latter, at the expense of that far more numerous class of citizens, who till no land for their own behoof, and must purchase all the grain or bread consumed in their families from the landlord and the farmer, or their agents and retailers.

Commonly one-half of the slender incomes which men of this class enjoy must be expended on this indispensable article, the price of which is, by these laws, kept up one-fourth or more above its natural level.

Is it not highly reasonable, then, that the industrious poor, who are taxed in this manner, and to this amount, without their consent, for the behoof not of the public, but of other orders of men richer than themselves, should have it at least in their power to pass with ease from that class of people, who must go to market to purchase this commodity, to the class of those who raise and have it to sell? The introduction of a progressive Agrarian law, extending over the demesnes of the crown, waste lands, and farms of too great extent, would produce this effect in no inconsiderable degree, and would at the same time essentially promote the object of all corn laws, if that object be indeed the prosperity and increase of agriculture, and not rather the profitable monopoly of the landholders.

54. It is by no means without example that the legislative power of a state, however tender of seeming to meddle with the general system of property in land, should interfere to impose some regulations on the manner of granting leases. Ireland furnishes a recent ex-

ample of some importance, and the laws of many countries have, on various occasions, interposed their authority to protect the peasants from outrageous oppressions, from violent and sudden removals, and from the pretensions of a new purchaser, coming in place of their former lord.*

In this field, there is great room, without seeming to pass beyond the usual jurisdiction of municipal law, for introducing into most countries new and beneficial regulations, relative to the three essential articles of a lease, the extent, the duration, and the rent to be paid.

In respect of duration all leases ought to be of considerable length (sufficient at least for the farmer to bring up his family, and settle them around him, without being removed himself), and of uncertain termination, ending with a life. New forms, adapted to the advantage of both parties, might easily be devised; as, for example, a lease which might be called a lease on alternate lives, beginning with that of the lessee, and ending with the life of that person who shall have come into the place or right of the lessor, when the first life falls, or when any number of years—20, 30, 40, or more—from that uncertain date have elapsed.

That the extent of the farms set in lease should be moderate, is certainly most advantageous to the community in general, and may be so adjusted as to prove

* What is the shortest term of a lease which ought to be given by the landlord or accepted by the cultivator? In Ireland, that may be exactly determined by the statutes to be not less than thirty-one years. For if any great landholder resolves not to give leases of more than twenty-one years, he determines to treat his Protestant tenantry more unkindly, and more unreasonably than the legislature, actuated by the most violent spirit of persecution, thought it proper or decent that the Roman Catholics should be treated.

not less favourable to the interest of the landlord. The rent to be paid ought always to be fixed at a determined proportion of the real or estimated annual produce of the soil; and this proportion being determined by the letter of the law, the application of that law to each particular case ought to be committed to a jury from the neighbourhood, if either party so desire.

Leases on improvement, as they are called, if considered according to the principles of natural equity, must be accounted altogether absurd and unjust; for they avowedly take from the farmer, as his cultivation advances, a share of that increased produce to which his industry has given rise, in order to bestow it on a landlord who has contributed nothing at all to the improvement of the soil; yet, in respect of expedience, they are to be regarded as among the best and most practicable compromises, which, under that establishment of land property which now obtains, can be brought about between the exorbitant rights of the landlord and the reasonable expectations of the farmer. Various beneficial schemes of such leases have been proposed, and some carried into execution; yet great scope still remains for varying their form, and combining new stipulations in such a manner, as that both parties may be interested in the progressive improvement of the soil. But the interposition of the legislature seems necessary in most countries, to render the landholders willing to give the preference to leases of this kind.

55. By the laws of many nations, a right of redemption (*jus retractus*) belongs to the superior lord, or to the nearest of kin of the landholder, who sells his estate. By this right, they are entitled to redeem the land sold

at the agreed price, within a limited time, commonly twelve months after the bargain has been struck ; and so generally is this privilege established on the Continent, that it has been considered as a branch of the law of nations. Much more justice and much more good policy would there be, in conferring such a right on the tenants and cultivators of the lands alienated, if, within a limited time, any number of them, not less than one-third part, could form a scheme, to be approved by the tribunals of justice, for purchasing the estate among them, by advancing one-half the price, or any other proportion required by law, and converting the remainder into reserved rents. The public ought even in justice and in policy to come to their assistance in forming such a scheme, and to advance the money wanted, on proper security to have it repaid by gradual instalments, or converted into perpetual reserved rents, which might again be sold, at no great discount of that value which had been given for them.

56. Various occurrences in the political revolutions of government have frequently stripped the ancient proprietors of large tracts of land, and thrown the absolute disposal of these lands into the hands of the rulers of the State: such are the forfeitures usually following on unsuccessful insurrections and conspiracies, the subversion of obnoxious associations, as the Templars and Jesuits ; the dissolution of the monasteries, and the reformation of ecclesiastical establishments in the north of Europe. The courtiers and grandees who have been enriched on these occasions by the profusion of their sovereigns, might have been equally well gratified and attached by the donation of seignorial rights and

reserved rents alone, and the property of the soil might have been all at once conferred on the cultivators, or rendered subject to the operation of a progressive Agrarian law ; or indeed both regulations might have been made to take place at the same time ; that is, the property might have been given to the present cultivators, but subject to future claims arising from the Agrarian law.

Such a disposal of escheated or forfeited lands may, without regard to the encouragement of agriculture and the independence of the plough, be recommended by policy of State alone, as tending to interest the lowest as well as the highest ranks in those innovations, whether justly or unjustly concerted, which the sovereign is desirous of having accomplished.

Would not, it may be asked, that great transfer of property made in Ireland by Cromwell have been almost equally acceptable to his captains and officers at the time, had it been accompanied with a progressive Agrarian law ? And would not the effect of such a law, so applied, have shown itself in the most beneficial manner to Ireland long before the present age ?

Had the lands left vacant by the expulsion of the Moors been distributed in full property to cultivators only, might not even Spain have recovered in a few generations the effects of that severe wound ?

SECTION III.

Of Circumstances which might induce the Rulers of a State to turn their wishes and endeavours towards the accomplishment of such a Change.

57. **S**UCH occasions and incidents, as those before enumerated, might be improved by the sovereign, the legislature, or the real patriots of any country, for introducing by degrees this important innovation, it being supposed that they are beforehand fully apprized of its great utility, and animated by a warm desire of seeing it effectually established for the advantage of the community.*

* It seems to have been unfortunate for the Romans, that in the age of the Gracchi the practice of granting leases for any considerable term of years was not familiar, and the alienation of land under a reserved rent wholly unknown. Had Tiberius Gracchus proposed to the Patricians either of these plans for accommodating the poor citizens with lands, a compromise might probably have taken place, to the great advantage of both. He would not have encountered such determined opposition at first, nor would he have been forced into the violent measures he afterwards adopted.

In the history of this illustrious citizen of Rome, those men who may hereafter undertake the patronage of general rights, and of the lower classes of mankind, may find an instructive example, how necessary it is to adhere to moderation, even in the noblest pursuits, and not to suffer the insolent and unreasonable obstinacy of opponents to provoke any passionate retaliation. Had Gracchus persevered in maintaining his first temperate and liberal proposal,—had he not impetuously, it cannot be said unjustly, hurried into the extreme opposite to that which his antagonists held, it cannot be doubted that his great endeavours might have proved fortunate for himself and his country.

Other occurrences and aspects of affairs tend to inspire with such generous desires either the sovereign or some considerable bodies of men in the State, capable of exerting powerful efforts in so laudable a cause, and with the desire may communicate the hope also of being able to accomplish some salutary changes of greater or of less importance, especially if the object to be aimed at, and the means by which it may be obtained, have been again and again stated to the public in a variety of speculative views, and so rendered familiar to the understandings of men.

Internal convulsions have arisen in many countries by which the decisive power of the State has been thrown, for a short while at least, into the hands of the collective body of the people. In these junctures they might have obtained a just re-establishment of their natural rights to independence of cultivation and to property in land, had they been themselves aware of their title to such rights, and had there been any leaders prepared to direct them in the mode of stating their just claim, and supporting it with necessary firmness and becoming moderation.—Such was the revolution in 1688, at which time, surely, an article declarative of the natural right of property in land might have been inserted into the Bill of Rights, had the people at large been beforehand taught to understand that they were possessed of any such claim. Such also was the late convulsion in America, the favourable opportunities of which are not yet exhausted; and whatever party shall hereafter in the agitations of any state assume the patronage of the lower classes, in respect of this their most essential privilege, may entertain confident hopes of being able by their support to obtain their own particular object of

pursuit, while at the same time they establish an arrangement of the highest importance to the general welfare of their fellow-citizens.

58. Princes sitting on disputed thrones might, among other expedients for giving additional security to their possession, consider whether it would not prove of advantage that the numerous class of cultivators were interested in their cause by some well-regulated communication of equal right ; and on the other hand, the expelled candidate might not unwisely seize the same occasion of strengthening his interest and increasing the number of his adherents, if it were left not preoccupied by his more fortunate antagonist.

In such cases as these, when the minds of the vulgar are to be suddenly engaged, it is perhaps more expedient not to propose a refined system, having for its object the greatest good that can be reconciled to the greatest supposed equity, or to the general convenience of all, but to hold forth some striking advantages to great bodies of men, who may feel that they have a common interest, and are not incapable of being taught to act together in concert, for promoting it ; to promise, for example, that every farm, as presently possessed, shall be converted into a freehold, vested in the farmer and his heirs for ever.

59. Difference of religious opinions, it may be hoped, will never again be made, as it has too often been, an occasion of disturbing the civil societies of mankind ; but if any respectable body of dissidents find themselves obliged to contend with the rulers of their country for the rights and immunities of a just toleration ; if the

leaders of the sect shall think proper to avow and inculcate principles of civil policy and justice favourable to the rights of the lower classes, and to the independence of cultivation, they may be well assured of strengthening their party thereby, of inspiring their adherents with more vigour and consistency, and of obtaining in process of time both the one and the other of these just and important objects of pursuit. These objects they will attain the sooner, and with more ease, the more cautiously they guard against the insinuation of that levelling and fanatic principle which has sometimes brought disgrace in the first place, and final disappointment in the end, on schemes wisely conceived, or bravely undertaken for restoring the rights of mankind.

It is supposed by many intelligent persons that, partly through the increase of infidelity, and partly from the prevailing moderation of wise men's opinions respecting disputable tenets of religion, the ecclesiastical order have of late lost much of that ascendant which they seem formerly to have possessed over the higher classes of men, so that in almost every country of Europe, under every form of the Christian religion, their establishments are either secretly envied and undermined, or very avowedly attacked; and it may be apprehended that a crisis of great danger to their temporal rights and privileges cannot be far distant. It might, therefore, be accounted no unnecessary provision for their own safety, and very liberal policy with regard to the general interests of mankind, should this respected order attach themselves more particularly to the inferior and laborious classes of men. These humble ranks are always found docile and obsequious to reli-

gious instructors ; and in justice to the simplicity of their native sense and piety, let it be remarked also, that they are more ready to listen with attention to rational and sound doctrines than to the extravagancies of enthusiasm or superstition, if only the same zeal and assiduity is displayed by the teachers of both. It would not ill become the ministers of any Church to assume the patronage of these men (whose reliance and attachment will not fail to increase in proportion to the attention bestowed on them), and to stand forth as the advocates of their natural rights and the guardians of their independence in opposition to the opulent, the luxurious, and the idle, who in too many respects domineer over them. It would not be unwise nor improper to connect thoroughly the interests of the ecclesiastical order with those of the laborious poor, who stand perhaps more in need of the direction and guardianship of enlightened superiors than the mendicant poor themselves, whom the Church has in every country taken under her immediate protection. In most cases, the mendicant poor would be sufficiently provided for by the charity of those very orders of men by whom the far more numerous class of laborious poor are oppressed.

That sort of correspondence and co-operation which might be denominated an alliance between the Church and the Plough, in subordination to the State, would not only prove equally beneficial to both parties, but seems in the present state of Europe to have become necessary for the support of their mutual interests.

60. Great public calamities and disasters may dispose the rulers of a state, however reluctant and averse,

to seek for the renovation of national vigour and prosperity by those measures which are to be accounted the only true sources of strength, opulence, and manly virtues; by cherishing the common people, bettering their condition, and exciting their industry by such cheerful hopes and reasonable expectations as belong to their humble situation, and not by the hard pressure of necessity, so often preposterously and inhumanly recommended as the most effectual spur of industry, so often unhappily applied as such.

Under circumstances of recent public distress and humiliation, such as the unfortunate issue of expensive war, the loss of commerce and of foreign dominion, even the higher and privileged ranks, awed into wisdom and humanity by the impending gloom, may be inclined to acquiesce in those regulations which tend to renovate the whole body of the State, though at the expense of diminishing in some degree the privileges and emoluments of their own order. They will consider that, unless the numbers, the industry, and the manly temper of the body of the people can be kept up, the fortune of the community must fall into continual and accelerated decline, and the privileges of every rank become insecure. But if these essential foundations of public prosperity can be supported, and any increase of them, especially of the last, can be procured, the loss of military glory, of political rank and ascendant, even of territory and establishments, may be regarded with less regret, as the loss of external appendages only, the plumes and trappings of national honour, which may be in due time recovered again by the returning vigour of the community, if such ought to be their endeavour or desire.

If, in the meantime, commerce is restrained and manufactures decline, let the cultivation of the soil be laid open, on reasonable terms and without delay, to the people thus deprived of their usual employment; such a resource would indeed convert what they must account a misfortune into an opportunity of finding real and natural happiness and ease.

If colonies are lost, it may seem more particularly requisite to provide some new opportunities of settlement for the usual emigration. If the facility of domestic establishments is presented to their choice, that will not only prevent the turbulence of unsettled, discontented multitudes confined at home, but will apply their numbers, and call forth their industry for the augmentation of the public opulence and strength.

61. Public dangers, especially, if not sudden and transitory, but continual, as proceeding from the vicinity of powerful and ambitious neighbours, ought to produce in the rulers and the higher ranks of a nation so threatened, a similar disposition of recurring to the genuine sources of public opulence and force.

What more effectual preparation can be made for the most vigorous defence of national liberty and independence, than to interest every individual citizen more immediately and directly in the welfare of his country, by giving him a share in the property of the soil, and training him to the use of arms for its defence. The former of these means of public security and defence is scarcely less requisite than the latter, the propriety of which is so generally understood.

A great standing army may be sufficient for the purposes of ambition, and for carrying offensive war into

foreign states, but if resistance is to be made at home, and a prolonged defence to be maintained against a more powerful invader, the discipline of standing forces, however perfect, must be combined with, and sustained by, the zealous patriotism of a militia. The King of Prussia, beset by hostile powers naturally superior in strength, has set the first example of a military establishment modelled on this plan ; an example which deserves to be imitated, and will not fail to be so by every potentate in the same perilous situation. The time seems to be not very far distant, when Britain herself must trust no longer with entire reliance to her wooden walls, even in time of peace, but must keep in continual array a land army proportioned in some degree to those of the continental powers. Even the greater powers themselves, by the continual augmentation of their standing armies, with an intention of invading others, approach still nearer and nearer to the establishment of a disciplined militia, as they continually increase the proportion of soldiers to unwarlike citizens ; and when they begin to perceive that they themselves are at last in danger of being invaded in their turn by the powerful confederacies of neighbours, whom separately they have insulted or held in terror, they will then hasten to adopt the whole plan, in the same manner as these neighbouring powers have already done. Thus, that continual augmentation of disciplined standing armies throughout Europe, which the friends of liberty and of mankind regard with so much anxiety and distrust, seems to tend to an ultimate state of advancement, in which every ploughman will be made a soldier, and almost every soldier remain a ploughman ; a system very favourable, no doubt, to the happiness and virtue

of mankind, and more particularly of the lower class ; a fortunate and desirable effect, which it may be hoped will arise from so very suspicious a cause as the restless ambition of monarchs. Whenever this state of things is brought near to its maturity in any country, there will be wanting only one regulation to realize the fancied virtues and happiness of primeval ages, though without that supposed perpetual tranquillity which seems not very consistent with the highest felicity of mankind. That regulation is, that every individual thus accustomed to the use of arms, and of the instruments of tillage, should be made proprietor of the field which he cultivates.

It is of small importance whether, in this progress, the state has begun with the establishment of a militia, and afterwards trained that militia to the exact discipline and ready array of standing armies ; or—what is more new in practice and may be more willingly adopted by monarchs—beginning with a standing army, has proceeded gradually to extend its compass, and the rotation of military services exacted, until, almost all those persons are comprehended who would belong to the plan of a militia established in the usual form, without however detaching them from their rustic labours, or interrupting that essential industry in any great degree ; still the same union of the military character with that of the peasant might be accomplished in the greater number of the people, in nearly the same course of time ; still the same facility and expediency will arise, of communicating to each of this majority of the citizens a competent share in the real property of the soil.

62. The state of a nation overwhelmed with debt

furnishes the most urgent motives to induce all classes of men willingly to recur to those measures and schemes by which the amount of the public stock may be most effectually, and most expeditiously increased. Among these schemes, the encouragement of improving agriculture, and the increase of an industrious population by means of independent settlements must be allowed to stand foremost.

It is indeed the landed property of the nation that is ultimately and solely engaged for all national debts: every other species of property may be concealed, transferred, or withdrawn, when the demand for payment is apprehended. It is therefore to be wished, for the security of public credit, and for facilitating the borrowing of money on good terms, when necessity requires that expedient to be pursued, that property in land were exceedingly divided; so that every person of the least consideration for property of any other kind, for industry, or for talents, had a share.

In that state of public affairs which renders the continual accumulation of national debt indispensable, it becomes even the interest of the great landholders, that such a distribution of property in land should take place, and that every member of the society should, if possible, have a share; that so every member may be rendered responsible for the public debt, and may have, though in an inferior degree, the same sort of interest with regard to it on every emergency which these great landholders have.

Such general distribution of property in land, especially if the public creditors were for the most part proprietors of land also, and in some proportion to the property possessed by them in the funds, would tend to

unite in a great degree the interests and views of the debtors and creditors ; and so prevent the danger of any sudden great convulsion, and the perplexities which might attend a temporary stoppage of payment. It would give at the same time the highest facility of employing the whole stock and force of the society in great and useful enterprizes, when such presented themselves, without necessarily entailing oppressive taxes on a future age.*

* The accumulation of a national debt must be acknowledged to be a great evil ; yet is it possible that the nature of that evil may be in some degree mistaken, and its distant terrors exaggerated.

The comparison which offers itself at first between the incumbrances of a nation and those of an individual's fortune, is just only in a few particulars. Money borrowed by a nation is chiefly furnished by its own subjects, into whose hands it is chiefly paid back for services performed ; and the stock of the community, compared with that of its neighbours, is lessened only by the amount of what is borrowed from subjects of a foreign State.

Taxes imposed for defraying the interest of a large debt must, in some degree, endanger the suppression of manufactures, and the loss of foreign commerce. This is, perhaps, the only evil which may not be separated from this accumulation of national debt ; nor ought this to be accounted very formidable by a nation abounding with men, and possessing wide tracts of waste or half cultivated land, in the improvement of which the industry of these men may be employed. In such a situation, a nation well informed of its true interests might despise the loss.

But if it is the established opinion of any people, that the public prosperity depends on the flourishing state of their commerce with other nations, that people ought, in consistency, to avoid the occasions of contracting debt.

If a nation already encumbered with a great load of debt foresees rather the necessity of augmenting than any possibility of diminishing the load, that nation ought, beforehand, gradually to prepare those resources by which the public opulence and the industry of the subjects may be sustained, when foreign commerce shall have failed.

Whatever national advantages are aimed at by efforts requiring the accumulation of public debt ; whatever evils are to be guarded against, as proceeding from such accumulation, a minute partition of property in land must be favourable to the measures of the legislature in either pursuit.

In order to establish, or at least to approach nearer to this the most perfect state of public credit, certain regulations might be introduced with happy effects in a well constituted monarchy ; and perhaps without exciting discontent, especially if any salutary agrarian law had been established, or a pretty general distribution of landed property been by any other means previously obtained. It might be enacted, that at fixed periods a certain considerable portion of the national debt should be divided among the landholders, in proportion to their property in land ; not obliging them to pay off their proportion of the debt, but merely to advance the money for paying it off, and so to become themselves the creditors of the public (instead of being debtors to the public creditors) and to receive the interests which they formerly paid.

It may be accounted a service which the State is well entitled to require from the proprietors of land, in return for their being suffered to engross the whole original value of the soil, that when the public is over-loaded with debts, not imprudently contracted, they should be obliged, not indeed to pay those debts, but to come forward and interpose their private credit in support of that of the public ; and to take their chance of such payment of annual rents or capital as the public may afford to make. Such an occasional partition of the national debt must be acknowledged to be altogether consonant to justice in those nations where the representatives of the proprietors of land have alone consented to, and authorized, the contracting of such incumbrances.

At least it seems probable that, whatever measures may at any time be adopted for diminishing the public debts of a nation, or for preventing those convulsions

which on critical emergencies may arise from the competition between the interests of borrowers and lenders, subjects of the same state, all such measures would be greatly facilitated by the minute partition of property in land, and a general distribution of it among the whole body of the people.

SECTION IV.

Of Public Institutions calculated for promoting a gradual and salutary Change in the state of Property in Land.

63. **A**S a subsidiary help to all those regulations which might be devised for promoting the prosperity of the lower classes, and, in particular, the independence of the plough, it would not ill become the wisdom of an attentive government to appoint a special Board, intrusted (under strict account) with the management of considerable sums, to be applied for this essential purpose, in the following or any other plan of like effect:

To purchase such estates exposed to sale, as might be had at a reasonable value (suppose from twenty-five to thirty years' purchase) and to divide them into small farms of a single plough only, to be given off in perpetual property for a full reserved rent. The loss that would be incurred in this transaction might be greatly diminished by selling off these reserved rents, with all the privileges of a landlord, to persons desirous of the best security without the trouble of managing a land estate. The purchaser to have a right of distraining the produce of the soil, together with collateral security on the funds of the Board, and the same facility of transferring his property at any time, and suddenly, by an assignation in their books, which the proprietors of stock in the public funds of Britain now have. With these advantages, it may be presumed, that such reserved rents would be purchased eagerly by the timorous and

the indolent, and probably sell at an advanced value, so as to reduce the loss on the whole transaction, to two or three years' purchase money of the estate. The money thus refunded to be immediately employed in similar purchases; in making which, estates of a large extent, inhabited by a numerous and poor peasantry, ought to be preferred to others of equal rent-roll. Estates situated in islands, or along the sea coast, might likewise deserve preference; because, for the sake of navigation and fisheries, it concerns the interests of the community at large, that the common people in insular or maritime situations should be brought into that state which is most favourable to their increase of population, and their thriving.

As the operations of such a Board would tend to enhance the value of land when brought to sale, the establishment, it may be thought, would be acceptable enough to the great body of landholders.

To such a Board might be committed the office of furnishing to the tenantry of estates exposed to sale such assistance as they might stand in need of to enable them to complete their schemes of a joint purchase, founded on their right of redemption.

To the same Board might likewise be committed the inspection of all lands devised and assigned to hospitals, universities, and any other public or charitable foundations, with a view to prevent that private abuse and speculation, which too generally take place in the management of such funds, when they are in a flourishing condition, and more than sufficient for carrying into execution the original intention of the founder. In these cases, the Board, having first laid a satisfactory proof of such redundance before the supreme tribunals of justice,

should be authorized to interfere, and to turn this superfluity to the greatest advantage of the public, by dividing the lands belonging to such foundations into separate allotments of a single plough each, and giving them away in complete property for a reserved rent.

The charitable foundations of one age may become superfluous, nay, pernicious, in those that follow, as the numerous hospitals and almsgivings of the Italian cities are justly considered as no small obstruction to the industry of their common people; and for various reasons, it cannot be unfit that the legislature of every country should exercise a constant and supreme control over all such establishments; yet directed by a scrupulous observance of the original intention of the founder, excepting where it is no longer fit that these intentions should be fulfilled; in all which cases, the produce of the funds ought to be religiously applied to those public uses and charitable occasions which, it may be supposed, the munificent spirit of the founders would have disposed them, had they lived in the present times, to patronize and prefer.

That bill which was brought into the British Parliament some years ago for enabling the governors of hospitals, and the trustees of other charitable foundations, to place in the public funds the estates intrusted to their care, seems to have been meant as a very gentle attempt to apply the redundant opulence of such establishments to the support of public credit and the general advantage of the State. It was an attempt entirely consonant to the best principles of national interest and of legislative superintendence, nor could that vehement dislike by which the bill was rendered abortive have arisen solely from public considerations,

unless inflamed by the patronage of jobbing and secret speculation.

64. It is not wholly in vain that premiums have been distributed for the encouragement of various improvements in agriculture and the arts. Great effects cannot be expected to result from them, but a general notification at least is made to the public of those things which speculative men of enlarged views conceive to be most advantageous and practicable. Trials made in different places and under a variety of circumstances ensue: and examples are exhibited, by which the advantages and disadvantages of the proposed improvements are subjected to general examination, in almost every corner; and other methods perhaps are suggested, more profitable on the whole, or better adapted to particular situations.

Trials and examples, it is presumed, are alone wanting to recommend the general participation of property in land to the favourable opinion and wishes of all ranks of men. In such examples, the landholders might perceive how small a part of their privileges and emoluments need to be given up, for promoting this, the greatest public good of the community, and what new advantages will spring up in compensation for those relinquished. The rulers of nations might perceive how much they are like to increase the numbers, and improve the character and virtues of their people; and the common people themselves can, from such examples alone, be taught to know what improvement their humble condition may receive, and with what ardour they ought to endeavour to attain it.

With a view to produce such examples in different

parts of a wide country, the same plan might be adopted, which in matters of far less importance has been pursued with no inconsiderable success. A great premium, either honorary or lucrative, might be held forth to the nobleman or commoner of a certain ample fortune, or possessing land estates of a certain great extent, who should within ten years establish the greatest number, not less than two hundred cultivators, settled in farms, from twenty to forty acres, held in freehold ; or by leases of long duration, three or four different forms of which might be proposed, as equally admissible. Less considerable premiums, yet such as only the treasury or the public honours of the community could furnish, might be offered to persons of different inferior degrees of estate for proportional establishments. Since such rewards and such marks of public approbation have been held forth for the cultivation of the best sorts of grain, and other profitable crops, why should it be accounted preposterous to appoint suitable premiums, if such can be found, for rearing and increasing the best sort of citizens, that virtuous and laborious class of men, of whom the severe Roman has said with delight that they are *viri fortissimi—milites strenuissimi—& minime male cogitantes* ?

SECTION V.

Of such examples and beginnings of Reformation, as might be expected from the generous efforts of private Persons acting singly.

65. **T**HE private interest of the landholders thoroughly understood, and pursued on enlarged plans, might incline them to adopt the same schemes of small farms, and leases of long duration, which appear to be so eminently favourable to the great interests of the community. This expedience is more particularly apparent in those large estates which are not in hazard of being brought to market every other generation, but may be expected to pass, as they have already done, from one age to another in the possession of the same family. On such estates, leases on improvement may be introduced still more beneficial to the interests of the proprietor's family than to those of the cultivator's, yet even to them far more eligible than any lease of a less permanent tenure. But if the present proprietor cannot be induced, for the sake of distant advantages to his family, and the general prosperity of those who are employed in tilling his estate, to divest himself, or his immediate successors, of all power of renewing leases; still, great advantage might arise from an arrangement which would keep a certain proportion of the farms, as every third or fourth farm up and down the estate, on leases of very considerable duration; these, when they

fell, to be replaced by others, so that the proportion should be still the same. These permanent and valuable leases would tend to bring about the accumulation of stock on the estate, and the establishment of wealthy farmers, by whose younger sons, or other relations, it might be expected, that advanced rents would be given for the adjoining farms, even on leases of much shorter duration.

The English landholders seem to deviate more from their own and from the public interest by the preference they give to farms of large extent, than by any unwillingness to grant leases of considerable duration. The saving of expense in repairs seems in general to be their inducement, and that very essential article ought to be regulated, no doubt, and might perhaps without difficulty be regulated in a better manner. Might not the conditions of the lease be so adjusted as to give the tenant an interest in keeping down the expense of repairs, and seeing them well made, and without delay? Might not the houses on his farm (and these neither too large nor too many) be delivered to him at his entry by appreciation, to be received in the same manner at the expiration of the lease—he receiving payment for any increase of value within a stipulated extent?

66. The desire of transmitting their estates to a long series of descendants arises very naturally in the minds of men who have enjoyed ample possessions under the protection of a well constituted government; and may, within certain limitations, deserve to be countenanced and promoted by the wisest legislature. It might be entitled, however, to more praise, as proceeding from a liberal spirit, and to more countenance of the

laws, as highly favourable to the general welfare, if, instead of securing superfluous opulence to one favoured line of representatives, the plan of such a settlement in tail had for its object to diffuse a moderate competency among a numerous tribe or family of descendants, and to provide that no one of the whole race shall be reduced to penury, but through their own extravagance, or indolent disposition. Both these intentions might be combined in the same scheme, by securing the present rent of the entailed estate to the lineal heir, at all events, and giving at the same time to all other descendants of the entailer, or of his ancestors, a right, when any lease fell vacant (the leases not exceeding three lives), to claim possession of it in full property, at the last rent; or at the old rent, with the chance of being exposed to future claims of other descendants, regulated on the principles of the progressive Agrarian law: these claims being to take place only after all the farms of the estate had been given off by the first rule of entail, each to a particular descendant of the entailer or of his ancestors.

Those persons who having no near relations, or none worthy of their inheritance, are led to bestow their estates on hospitals and other public uses, might obviate the murmurs of their remoter kindred, and the ungenerous insinuations to which the memory of such public benefactors is sometimes exposed, by making such a provision as this, in favour of persons descended from the same ancestors with themselves.

67. In every opulent society there is gradually produced a considerable fund, which accumulates from time to time in the hands of beneficent and charitable persons, and is ready to be applied, chiefly in the way of

legacy and bequest, to the more urgent wants and occasions of the community, and to supply what the revenue of the State cannot be made to reach, or what its attention has overlooked. Churches, monasteries, universities, bridges, and hospitals of various kinds have successively become the objects of this well intended munificence in Europe, and corresponding foundations have in like manner engrossed it among the nations of the East. In some countries these objects are so fully provided for that the bountiful stream of donations seems almost to have ceased to flow : but the effect is apparent only, not real ; the public wealth continuing the same, the charitable fund will continue the same also, if new and worthy objects are presented to its bounty. Hereafter, perhaps, in enlightened nations, the independence of the plough may be numbered among these objects, as worthy to partake of such beneficent endowments, after the demands of sickness, of declining age, and deserted infancy have been in some reasonable measure provided for. In such a country, he who would have bequeathed his estate to a hospital, had hospitals been wanted, may think of dividing it, in the first place, into freehold allotments of a single plough each, and bequeath the revenue thence arising, to be applied at certain periods, to be portioned out in freehold in the same manner.

68. Nor ought it to be supposed that some specimen of this equal property in land, some example of what good effects it might produce in a narrow district, is too great an effort to be expected from the ordinary liberality of private men, possessed of ample fortunes. He who possesses six or eight manors cannot be

thought to deprive even his remotest posterity of any great share of their inheritance, should he at the present time divide one at least of these manors into small farms of a single plough, assigning each of them in perpetual property to the cultivator for such rent as he would consent to give for this perpetual right. Or were this one manor rendered subject to the options of a progressive Agrarian law, the right of claiming settlements being restricted to persons born on other manors of the estate, such an institution could not fail to operate as a premium in raising the value of the estate. But honour alone, and the conscious satisfaction of having made a public-spirited and laudable attempt, would more than compensate, to men of such ample fortunes, the loss that may be supposed to arise from some diminution of a rent-roll.

In certain nations (though not in Britain) the Princes of the blood are possessed of revenues equal to those of sovereign states, without any civil or military establishment to maintain; and should they even neglect the splendour of their retinue, and of their domestic court, still the public reverence would wait on the dignity of their exalted birth. Among these men, placed in an intermediate situation between sovereigns and subjects, exempted from the claims that are made on the first, and from the family wants of the second, it might be expected that liberal and illustrious schemes, conducive to the good of mankind, might find patrons worthy of them, whom the necessity of a great expense would animate rather than deter. Men of noble minds might rejoice in the occasion of expending their great revenues on some more dignified object than that frivolous luxury in which they are usually wasted; they might rejoice in

the occasions of distinguishing themselves from the vulgar herd of subordinate princes, whom the sentiments of mankind rate only as a sort of furniture, pertaining to the state apartments of a great monarch's court.

SECTION VI.

Of such examples and beginnings of Reformation as might be produced by the combined endeavours of private Persons.

69. **T**HE concurrence of liberal purposes with the power of carrying them into execution, is too rarely to be met with in particular men. It is probable, however, that in proportion as this important object shall be attended to, canvassed, and more generally made known, great numbers in various countries will perceive that they are interested in having it elucidated by experimental trial; and what the wealth of individuals cannot afford to attempt, the joint contribution of considerable numbers (as in many similar cases) if expended on judicious plans, may accomplish with ease.*

* The outlines of a voluntary subscription scheme for promoting the independence of agriculture, and securing the advantage to the subscribers' families, might be delineated in this manner.

A hundred subscribers, at £100 each, form a capital to be laid out in the purchase of lands; these lands, as the leases expire, to be divided into allotments of a single plough each. All descendants of subscribers, males or married females, to be entitled, if they require it, to an allotment at a rent fixed by a jury, and on condition of residence and actual cultivation.

The produce of these rents to accumulate, and to be expended from time to time in purchasing lands to be divided in like manner.

Precedence of claims among descendants of equal propinquity to the subscribers to be determined by lots.

All allotments after 50 years' possession to be subject to claims of smaller allotments of six acres each, if any candidates disappointed of the large allotments choose to settle on so small a patrimony. A jury must

70. Many societies are instituted in various parts of Europe for the encouragement of agriculture ; but to promote it, by the most effectual of all means, the independence of the plough, seems far too arduous an undertaking to be pursued by them even in the way of trial and experiment alone, and far beyond the limits of their finances. Yet the hearts of liberal men are apt to expand in proportion to the greatness of the objects which present themselves ; and the enthusiasm aroused by engaging in schemes of the highest importance, not without difficulty, is likely, above all things, to increase the numbers, the vigour and influence of these very laudable associations.

in that case determine what rent is to be paid to the fund, and what to the first occupier of the allotments.

The usual subscription societies are formed to provide for widows or children an annual payment during life, or a sum of money to assist in beginning the world. The object of this one would be to provide for a long and increasing race of descendants an inheritance, if they stood in need of it, and that of the most valuable kind, being a fund on which the most salutary industry may be comfortably exercised.

SECTION VII.

Of a progressive Agrarian Law, which might be made the basis of all partial and occasional Reformation respecting Property in Land.

71. **I**F in any nation of Western Europe the sovereign were desirous of introducing a system of property in land, wholly consonant to natural justice,* and

* To all unbiassed reasoners it will probably appear that no right whatever can be better founded than that which every man willing to employ himself in agriculture has, to claim a certain portion of the district in which he happens to be born, he becoming bound to make just compensation to those by whose labour that spot of ground has been fertilized.

It belongs to the community to establish rules by which this general right may become definite, and to prescribe a method by which the distribution may be made and the compensation ascertained.

The rules adopted for this purpose may be more or less prudent and equitable, and more or less favourable to the poor or to the rich, without any heavy imputation on the spirit of the laws ; but not to recognise such a right at all, not to have established any rules by which its claims may be ascertained and complied with, ought to be accounted essentially unjust.

Means may certainly be discovered by which this general right of the community in the property of the soil may be so clearly and practically ascertained that the private landholder shall have no occasion to be afraid of suffering injury, or material inconvenience, when any share of that public right is claimed.

The plan of a progressive Agrarian law is an attempt towards the discovery of such means ; but the problem is difficult, and the imperfections of a first attempt may deserve to be excused.

Numberless are the variations which might be devised for accommodating the principles of a progressive Agrarian to the supposed rights and legal possessions of the body of landholders.

favourable to the greatest happiness of the greatest number of citizens ; and if in this undertaking he found himself under no necessity of paying respect to the prejudices and interests of the present landholders, or any other body of men whatever, he would take for his leading object to increase the number of independent cultivators, and to bring into that favourable situation as great a number of citizens as the extent of his territory would admit. In the accomplishment of which purpose, he might see cause to enact a statute, not very different from the plan delineated in the following articles :

- I. That every citizen aged twenty-one years or upwards may, if not already in possession of land, be entitled to claim from the public a certain portion, not exceeding forty * acres, to

Suppose it enacted in any country that a progressive Agrarian shall take place, in respect of barren ground at all times, but in respect of cultivated lands only when the leases expire, excepting those farms which exceed a hundred acres in extent. Thus the landholders would have an option given them : if they did not choose to submit to the operation of the Agrarian, they might avoid it by adopting leases of long duration and farms of small extent.

* Or such extent of ground as may be cultivated to advantage by one small plough and the ordinary family of a peasant, which may be supposed a husband, wife, and three children of various ages. This may be called the standard farm, and ought to vary in its extent according to the state of the country. In countries little cultivated and thinly inhabited, it ought to be large (which does not exclude small options), to encourage the cultivation of new land by those who are possessed of some considerable stock ; where the country is well stocked with inhabitants, it ought to be small, that each may have a share. Thus two hundred acres may be no improper standard in North America ; from sixty to twenty in Europe ; in Holland, Egypt, and Bengal from six to two, which last is considerably larger than the original standard of ancient Rome.

be assigned him in perpetuity for residence and cultivation, in the manner and under the conditions hereafter specified.

II. That the claimant shall have right to choose the situation of his allotment on any farm, freehold, or uncultivated common within his own parish, if the same be not excepted by the other provisions of this law. If there be no unexcepted land in his own parish, he shall have right to choose in any of the parishes contiguous to his own; and if in these there be no unexcepted land, he shall have right to choose throughout the whole district or county.*

III. This allotment shall be set apart, and its landmarks fixed by the magistrate with the aid of an assize, or of arbitrators chosen by the parties. It shall be marked out in the manner most convenient for both the old and new occupier: it shall approach to a square, or some other compact form; one of its sides shall run along the boundary of the old farm; and it shall have communication with some road already patent.—None of these circumstances to be departed from without the consent of both parties.

IV. The ground thus set apart shall be submitted to

* If in any parish there have been no claims made for seven years, and yet unexcepted land remain, all persons even from other counties may enter their claims there. The tendency of these restrictions is to diffuse the benefits of this law, together with the inconveniences which may attend it, equally over the whole state. Perhaps a better regulation might be that cultivated lands should be open to claims only one year in ten, but uncultivated lands always, and to the claims of all persons within that county, or from any other county in which the uncultivated lands were already appropriated in small allotments.

the cognizance of an assize,* or of arbitrators chosen by the parties, who shall determine what reserved perpetual rent the claimant must pay to the landlord,† and what temporary rent to the former tenant (if any) in compensation of their rights.

V. The following farms are to be exempted from all such claims:—(1) Every farm from which, if the allotment claimed is taken away, less than forty

* Perhaps some additional precautions might be requisite in the manner of constituting the assize. It ought to consist wholly of persons versed in agriculture, and if possible one-half landlords, the other claimants, or rather if that could be had (as after some years it easily might) the whole to consist of persons who have already got the standard farm and no more. Yet each party might be allowed to demand a reference to arbitrators rather than an assize; these arbitrators to be chosen by the parties, and paid after a certain handsome fixed rate. This would induce some capable persons in every small district to distinguish themselves for honest and fair dealing in this line of business.

† The right of the landlord can only extend to the improved value of the soil; for he may still retain a farm of the standard extent, which is to be supposed in all cases at least equal to his natural share of the soil. It might be difficult, however, for an assize or arbitrators to separate the original from the improved value of the allotment to be given off, and if they find an equivalent for both, no great injustice will be done the claimant, provided the landlord remains alone liable to the land tax, with all its additions: an equivalent for both they can easily find, as it must be no other than a reasonable rent for the ground, on a short lease of seven or ten years only; for that which might be accounted a reasonable rent for a longer lease would comprehend an equivalent for some part of the improvable value; to which, according to the principles assumed, the proprietor can have no right.

The claimant ought to have his option of paying a reserved rent, or a ready money price. The first will commonly be his choice, but if not, the landlord may not be obliged to receive more than one-half the value in ready money price. The reserved rent ought to be ascertained not in money, but in the staple produce of the country, in justice to the landlord, who ought also to have a right of distraining in the most effectual manner for his security. The claimant ought further to show that he is able to stock his farm in a proper manner, or that he is possessed of three times the reserved rent in goods or in cash.



acres will remain to the first tenant. (2) The farm or park belonging to the lord of the manor, the same bearing a regulated proportion only to the extent of his estate. (3) Every farm, of whatever extent, that has not been ten years occupied by the present tenant. (4) Every farm whose arable ground has been diminished one-half by claims founded on this law shall be exempted for twenty years to come, if the tenant so desire. (5) All farms of barren ground taken for the sake improvement, under such forms and limitations as may prevent the collusive evasion of this law.

VI. In case the claimant is not contented with the rent affixed to his allotment, he shall not be obliged to hold it, but to pay the occupier twice the amount of any expenses incurred by him. If the former occupier is not contented, a new * valuation may be obtained by him, he defraying all the expenses that may attend it. Every such claimant may make four options, and no more. If he has made two within his own parish without holding, he cannot make a third there, but may make his remaining two in the contiguous parishes, or in the district at large, as he shall choose.†

* Might not the former occupant or landlord, if he has any personal objection to the claimant as a neighbour, be entitled to substitute another in his room on the same terms? In which case this attempt so disappointed ought not to be reckoned as one of the claimant's options.

† The number of options is limited chiefly in order to prevent vexation of the landholders in the beginning, when the number of claimants must be very great. But perhaps there is greater danger of the landlords contriving in every stage to defeat the just pretensions of regular claimants.

VII. The person thus acquiring property shall continue to reside upon his farm. He shall have right to transmit it to his heirs or assignees in full property, or under a reserved rent, but shall not have nor transmit the right of alienating it with reversion, *i.e.*, of letting it, or any part of it, in lease. If he sells it to another, who shall not reside upon, but annex it to some other farm, one-tenth part of the price, or of the reserved rent, shall belong to the public.*

VIII. The lands acquired in this manner shall not be transmitted by will, but according to the established rules of succession to landed property, the original lord of the manor being *ultimus hæres*. The father, however, may choose to which of his sons the farm shall devolve.

IX. No allotment shall be united to another by succession.† The person who has right to two in this way shall make choice of one of them, and that which he relinquishes shall pass to the next heir. By marriage they may be united during the lives of the parties, and of the longest liver, but to be separately inherited by two of their heirs.

X. It shall not be lawful to break down any such

* The farm thus annexed shall be exempted from any new claim for forty years. But no person shall accumulate more than four such farms, nor shall he who has alienated two farms in this way have right to make any other option at all.

† This does not obstruct the increase of estates, by the accumulation of reserved rents, to any extent.

allotment in order to divide it among children,* until in any county the uncultivated lands are wholly exhausted ; at which time, a new standard of farms shall take place, of six or eight acres, suited to the spade culture ; and allotments within that county may then be broken down by will, purchase, or otherwise to that standard.

- XI. The property acquired in these allotments shall not carry along with it any right of common of any sort in the commons, moors, woodlands, private roads, or other appendages of the manor, excepting only in the nearest well and watering pond, and in the bog or common for turf, if that is the fuel of the country : this last right to be regulated by the usages of the manor, as if the allotment had been given off in lease only. Neither shall any use, prescription, or connivance, ever in course of time, procure the holder of such allotment any right of common that is not founded on, and ascertained by, express compact.†

* Some doubt may be entertained of this article, as the allotments are not limited by any minimum below which they must not fall.

† The acquisition of such rights would render the future assignation of settlements more difficult and complicated ; besides, it ought to be a leading principle in every plan of reformation respecting property in land, that the present possessions of landholders having been acquired *bona fide*, under the protection of established laws, ought not to be disturbed or broke in upon, except just so far as natural justice and the greatest good of the whole absolutely require, and no farther : from whence it will follow that the persons, who are by this statute restored to their natural claims, shall not be allowed to claim or possess, even for a time, any more than the precise extent of such natural claims ; while, on the other hand, those who are previously possessed of more than their just and natural

- XII. Those who are in possession of farms at the time of enacting this law shall not be entitled to get any part of their farms converted into freehold by its operation, until by the option of other claimants these farms be reduced to an extent of less than sixty acres.*
- XIII. All who acquire property by the operation of this law shall be obliged to perform double service in the militia of their country.
- XIV. In every competition that may arise, orphans, and those that have served in the army or navy, shall be preferred to all others, and to one another according to the number of years they have served, or the early age at which they have been left orphans.
- XV. Every person who has acquired an allotment of land in this manner shall pay to the lord of the manor certain aids and services of a feudal

right may be permitted to hold it until such time as a special claim, founded in natural justice and ascertained by this statute, be set up against their possession. The actual possessions of landholders are in part congruous to natural equity, and in part not: even in those parts of their extent which are not congruous to natural equity, no change is to be made until a particular claim founded in that natural equity requires such change to be made. On the other hand, in those parts of their possessions which are congruous to natural equity, viz., the right to improved value, such changes as the general good may require are to be made, in the manner of holding or occupying their possessions; a just equivalent being, however, given them for their rights and possessions themselves.

* No injustice is done to the farmers by this restraint. They are already in possession of land on terms which they thought not ineligible: it will prevent their entering into cabals to retard the progress of the law, and to obstruct the breaking down of their farm by such claims; they will be rather concerned to promote a progress which enables them the sooner to convert into property the most convenient part of their farm—that, to wit, which lies nearest to their residence.

nature, so regulated as to produce that degree of connection and dependence which may be expedient for preserving order and subordination in the country without danger of giving rise to oppression and abuse.*

72. Such might be the general outlines of a statute which from the nature of its operation would not improperly be called a progressive Agrarian law. Other more simple plans might no doubt be adopted by a sovereign having the power and the inclination above supposed. Many such might be proposed, by any of which the present state of landed property in Europe might be very much improved, and rendered more consistent with natural justice and the best interests of the greater number; yet far less improved than might be expected from the establishment of a progressive Agrarian law, the plan of which seems to comprehend the following advantages over every other Agrarian law that has been attempted or proposed.†

* It is not impossible to devise such regulations, and though not absolutely necessary, they may prove beneficial in some degree. Suppose, for example, that on the death of any lord the vassals paid one year's rent to his successor; that on the death of a vassal, one year's rent was remitted by the lord; that during the minority of their lord, the vassals paid one-tenth more rent, and during the minority of a vassal one-third was remitted; that the bachelor vassals paid one-tenth additional rent, the bachelor lord received one-tenth less; that the vassal having eight children was exempted from the one-tenth of his rent, having twelve from one-fourth.

† Almost all of Agrarian laws have proceeded on the plan of restricting that extent of landed property which an individual may acquire, and not the nature and the force of that right with which the landholder is invested. Thus endeavouring to establish an equality of fortune, they have been found impracticable, and, could they have been carried into execution, they must have proved detrimental to the progress of industry and of commerce.

- (1.) It tends to unite the real benefits of that levelling scheme which was the avowed object of the Greek and Roman Agrarian laws, and which the peasants of Europe, in a frenzy excited by oppression, have sometimes seemed to aim at; with the known advantages of unequal fortunes, and the free accumulation of real property, excluding at the same time the greater evils that attend on each.
- (2.) That its operation must proceed gradually and gently, under the regulation of two principles, the one acting as an accelerating force, viz., the demand of the lower ranks for independent settlements, the other acting as a retarding or restraining force, viz., the inconvenience which the present occupiers, at any given period of time, must undergo. The opposite interests of these two classes of men, this law tends to compromise on a plan the least unjust to the former, and the least incommodious to the latter, according to the circumstances of the country at every successive point of time, with all the variations of which circumstances the operation of this law will, of course, vary.
- (3.) That it provides for the easy gratification of that propensity so natural to mankind, to fix their settlements as near as may be to the places of their birth, and to extend themselves *de vicino de vicinum*, chiefly like the trees of the forest.
- (4.) That it reduces no citizen to the alternative of renouncing his inclination or his right. If he does not incline to become a cultivator, or a husbandman, he is not therefore deprived of all

opportunity of becoming so, when change of circumstances, or of his choice, shall so dispose him; when that time comes, he has free admission to an equal share of the soil of his country. Provision, however, is made, that whoever in the meantime has occupied that share shall not be dispossessed of it, with any circumstances of inconvenience, nor without a just compensation for labour bestowed and improvements made. In order to ascertain the amount of this compensation, recourse is had to the best expedient which the state of human affairs will permit, an expedient which in similar cases has been employed and found adequate.

- (5.) That it may be so adjusted as to confer suitable and effectual encouragement on the marriages and increasing progeny of the lower classes of men; not merely honours, exemptions, and prizes, which can fall only to the share of a few, but real establishments proportioned to their increasing wants, and consisting of the subject of industry and the means of subsistence.
- (6.) That by very easy variations it may be accommodated in a great measure to the municipal laws of any country, and the interests of any prevailing order of men, so as that very considerable and important branches of it, if not the whole, may be engrafted on the established system, whatever that may be, without any apparent violence or much danger of exciting discontent.

73. There are three articles with regard to which these variations for adapting the progressive Agrarian to

established systems and prevailing interests may require to be made :—

The lands which are made liable to claims of allotment.

The persons to whom the right of making such claims is given.

The nature of the right acquired in the allotments thus assigned.

(1.) Natural justice and the greatest good of the whole community would require that all lands whatever should be subject to these claims until the whole country were divided into farms not exceeding the established standard. But this not being practicable, except in a few rare cases, and on such occasions as a new settlement or an absolute conquest, it might be expedient in most countries to restrain these claims to uncultivated lands alone, or to the forests and demesnes of the crown, either of which would prove of great public utility. This Agrarian law might be established with regard to commons in general, restricting the right of making such claims on each separate common to the children of those who have a right of common in the same—a regulation perhaps not impracticable in England.

In almost every country there are some classes of men who, though they are allowed to possess property in land, are yet not reckoned to stand on the same footing with the bulk of the community, nor admitted to any share of government or legislative power. Such is the situation of Protestants in Roman Catholic, and of Roman Catholics in Protestant, countries. Might not such a statute be enacted in its full extent with regard to the lands of these proprietors? Might it not be

enacted in its full extent with respect to lands whose proprietors are subjects of a foreign state? of which there are frequent instances on the Continent, and in most cases, these lands are subjected to double taxes, or other burdens, far less equitable than any detriment that might be incurred by the proprietor from the operation of this law.

The estates of absentees of a certain description, and still more the lands which at any time devolve by forfeiture to the public, might be made liable to such an Agrarian; the right of making claims on these estates being confined to natives of the same county or district.

If great proprietors are allowed to establish perpetual entails, in opposition to the public interest, it ought only to be on condition of rendering their estates subject to such an Agrarian in its whole extent, by which the public detriment arising from the entail would be fully compensated, without defeating the private intention (which is in itself laudable enough) of rendering a great family permanent.

Even Jews might be permitted, without alarming any prejudice whatever, to purchase lands in any country, subject to the regulations of this Agrarian law in favour of Christian cultivators, and without that sort of dependence which is pointed out in the last article of the plan.

(2.) Natural justice and the greatest good of the community would require that every man, arrived at the years of maturity, should have such a right. It might, however, without detriment, perhaps with advantage, be limited to those who are married, and might perhaps require at its first commencement to be limited to

thirty-six or thirty-two years of age, in order to prevent too sudden a diminution of the number of day labourers and hired servants ; this standard age, however, sinking gradually, one year at a time, once in the two years, until reduced to twenty-one.

However impracticable or inexpedient it may be in most countries to extend this privilege to all persons whatever of the legal age, there are in every country certain useful and privileged classes to whom it might be willingly enough communicated by the legislature, as (1) those who have served a certain time in the army. This regulation might be easily admitted in Prussia, Austria, all over Germany, and indeed Europe in general ; (2) those who have served a certain number of years in the fleets, or on board the trading vessels of their country. The prevailing eagerness for acquiring commerce and maritime power might well recommend such encouragement to this class of men everywhere. In most countries they make but a small proportion of the community, and where that proportion is large, there they are most highly valued and cherished by the State ; (3) the sons and sons-in-law of clergymen in Protestant countries might be thought entitled to this privilege, if at any time reduced to the necessity of claiming it ; (4) the peasant who has eight children alive, or six before he is thirty years of age, might be entitled to it in all countries ; (5) and so might those who have been left orphans in their nonage, the daughters, when married, conveying this privilege to their husbands.

(3.) As to the nature of the right acquired in the allotments of land—according to natural justice, it ought in all cases to be a perpetual tenure ; but if this may not

be obtained in all, it ought at least hardly ever to be departed from when uncultivated lands are allotted to the claimant. If the lands have been already cultivated, a long lease may suffice; and if they are fertile, that lease may be somewhat shorter, but ought in no case to fall below thirty-one years, with a life. On the expiration of every such lease, the tenant ought to have an option of renewing it again on paying an additional proportion of rent, as one-sixth, or such new rent as an assize may affix; but if that affixed rent shall not exceed the old one in a certain proportion, as one-tenth, the tenant ought in that case to forfeit his right of renewing the lease.

By such variations may the principles of a progressive Agrarian law be accommodated to the established institutions of various countries; and justly may it be affirmed that there is no country under the sun which might not derive great increase of prosperity from adopting one or other modification of such a law. Certain forms of this law might indeed be proposed, so simple in themselves, so little inconvenient to the present landholders, and yet so beneficial to the lower classes of men, that no good reason could be assigned why they ought not to be universally established in all parts of the world. Suppose, for example, that a petition were offered by the parties concerned, to any European legislature, requesting, with due respect, the establishment of the following regulation:—That soldiers, sailors, orphans, should be entitled to make claims of uncultivated lands within their parishes and counties, on the boundaries of estates only, without acquiring any right of common, and to be possessed for forty years and a life rent, under such annual payment as an assize or arbitrators should

determine to be the present annual value of the soil. What good reason could be offered for refusing so just a requisition? And were it flatly refused, what reason would there be to hesitate in pronouncing that legislature, whether monarch or senate, tyrannically oppressive, and unfaithful to the first objects of a sovereign's trust? But as in all parts of Europe the good of the people and the protection of the indigent and deserving, are held forth by governments as the pretexts of that authority which they assume, it could not well happen that so modest, so reasonable a request would be rejected in any country whatever; nor could it fail that the introduction of this very circumscribed form of a progressive Agrarian law, by showing an example of its advantages, and making known also the very inconsiderable amount of the inconveniences inseparable from it (which, while unknown, may be dreaded too much), would make way for its reception on a more extensive plan, as communicating the right of making options to various other classes of men, and in the cultivated as well as the barren lands of the State.

74. It would furnish the matter of a very interesting inquiry to examine what particular modifications of such an Agrarian law might be accounted more especially suitable to, and most likely to find ready admittance in, various countries with whose municipal laws we are acquainted, and what peculiar branches of such law might be adapted to various conjunctures which have occurred, or may perhaps occur, in different states. North America has lately enjoyed an opportunity of new modelling the establishment of landed property, even to theoretical perfection. Among the fundamental

laws of their new constitutions a well-regulated Agrarian ought to have found a place, and might have remained unrescinded by the articles of any auspicious coalition with the parent state, none of whose pretensions could be supposed to be infringed by the internal arrangements of such a statute.* Nor is that opportunity, though not observed in the great crisis of their fortune, wholly lost to countries where almost every citizen is annually admitted to vote for his representative in a legislative assembly, every member of which represents nearly an equal number of the people at large.

The whole landed property of Bengal and the other provinces which our East India Company has acquired is now absolutely at the disposal of that company and of the British Government. No nobler opportunity, no equal fund for exhibiting to mankind the illustrious pattern of a just and equal establishment of landed pro-

* In manufactures and commerce nations may be led to think that their interest requires them to rival and obstruct one another ; with respect to the progress of agriculture, it is hardly possible that they can fall into such a mistake.

It is manifestly the interest of every nation, whose lands are not cultivated to the highest degree, or, being encumbered by ancient rights, cannot be brought into that state which is most favourable to the highest cultivation, to wish for and to promote the establishment of independent agriculture among its neighbours ; for the cultivation of that country having become stationary, it must owe any increase of prosperity and population to manufactures and foreign commerce ; and the more that other nations are occupied in cultivating their soil, the greater quantities of manufactured commodities will they stand in need of, and the less will they be able to furnish to themselves ; the more, therefore, will they contribute to the prosperity of manufacturing nations near them

To Britain, considered as a manufacturing and commercial nation, it might prove highly advantageous that regulations of the nature of a progressive Agrarian were established throughout the continent of North America.

perty, was ever by any conjuncture thrown into the hands of a set of men very capable of perceiving wherein the best use of such an occasion would consist. By making a proper use of it, and by the firm establishment of a beneficial landed property, some reparation might yet be made to that unhappy country for so many wrongs, and some testimony might be borne, amid so many ambiguous appearances, to the ancient honour and equitable disposition of the British nation ; and what may be more directly regarded an additional security might thereby be provided for the permanency of our acquisitions in that part of the world. To establish a just system of landed property, and to secure it by introducing the trial by jury, are perhaps the only innovations which Britain ought to make in the ancient institutions of Hindostan.*

* Britain has derived considerable advantage from Bengal, Bahar, and Orissa, as states, and proposes to continue to reap the same, if not greater.

The advantages and profits arising from trade are earned by the exertions which that trade requires ; they are due to the persons by whom it is carried on, and into whose pockets they immediately enter ; and they may be supposed in some measure reciprocal to both countries. But what right can Britain, as a state, have to increase her own revenue by large sums deducted from a revenue raised on the subjects of Bengal ? How does it become her justice or her magnanimity, to receive such a tribute, unless repaid by the communication of well-ordered laws, and a reformed police ?

To transfer the whole code of English laws to Bengal is an attempt not much less absurd than to transfer the laws of Bengal to England, though probably some particular institutions of each country might be beneficially transferred to, or copied by, the other.

But the administration of the English laws, and that happy plan according to which justice is dispensed in this country, by the intervention of a jury, in all cases of any importance, and the privilege of a speedy trial, if the prisoner desires it, may no doubt be adapted to any system of laws that has been established in any country ; it would render the best still more beneficial, and the worst not intolerable to the people living under them.

The situation of Ireland during the peaceable years of the present reign might perhaps have encouraged the legislature of that country to establish some considerable branches of an Agrarian law (had it been suggested) in the estates of the Catholics; these regulations might have been so devised, and so promulgated, as to operate more effectually in attaching the common people of that persuasion, than in disgusting the great proprietors.*

* The distresses of Ireland, whatever they may have been, must be allowed by impartial observers to have arisen far more from the abuses of landed property than from the restrictions of commerce, and to have been aggravated by the want of an establishment for the maintenance of the poor, similar to that which does so much honour to England, and in consequence of which the domestic peace of that country is so easily preserved, without curbing the bold and manly spirit of the common people.

This establishment the legislature of Ireland will probably soon have occasion to take under consideration; and some benevolent men seem already to have turned their thoughts on that object.

It will not become them to be deterred by the errors and embarrassments into which England has fallen from attempting a scheme which justice, humanity, and the tranquillity of their country seem equally to require. It ought rather to animate their generous endeavours that Ireland may hope to be the first nation that shall exhibit this most humane and liberal of all municipal institutions in a state of improvement, which may render it equally beneficial to the rich and to the poor.

It must be much more difficult for England to reform the abuses of her ancient establishment than it ought to be for Ireland, profiting by the example of her errors to establish at once a new system of more uniformly beneficial effects.

The vexation of settlement disputes might be avoided by throwing the supernumerary poor of a parish on some county fund, and the supernumerary poor of a county on the general funds of the nation.

The encouragement of idleness might be prevented by giving the clergyman of each parish a negative on the disposal of the poor's money; by the interposition of which he might prevent its being given to the undeserving, or too liberally to any. Nor ought it to be suspected that the ministers of religion would abuse this sort of power.

After all, to lay open the uncultivated lands of the State to claims

It seems not unlikely that the proprietors of extensive grazings in the south of Ireland might be more easily reconciled to the establishment of such an Agrarian than the holders of arable estates to the same value may be hoped to be; as these proprietors of grazings have so few people on their wide domains, they would not be so sensible as other landholders to the loss of influence and that degree of dominion over men, which is no doubt one of the principal charms of landed property. Their rents might probably be increased by the innovation, for surely the free produce of the ground might be greater under alternate tillage and grazing than when kept perpetually in grass. Supposing, however, that their rents were only kept up (which they ought to be at least), they could have little aversion to a few independent settlements on the frontiers of their extensive estates; or if they had such

made by the industrious poor for the sake of cultivation, will be found the most solid foundation of any new establishment for the maintenance of the poor, and the most effectual expedient for rectifying the abuses of an old system, or moderating the demands for its support.

The practice of letting estates to intermediate tenants or middlemen is one of those grievances under which the industry of the Irish poor has laboured. That practice will gradually be laid aside; but the change, it may be apprehended, will not prove equally beneficial to the cultivators and to the landlords, as in all reason it ought to be.

Such is the influence of habitual modes of thinking that those who exclaim most against the exorbitant profit of the middleman seem not to perceive that it is unjust, because it has been squeezed from the humble industry of the cultivator without any equivalent given for it; but think that it is so, because it is kept from being paid into the chests of rich and indolent landlords, whose title is not better founded than that of the other.

Suppose that an estate farmed by a middleman who draws from it a profit equal to the rent he pays had been kept in the landholder's own management, and the rent raised to the same degree as by the middleman, wherein would there have been any difference in respect of the tenants

aversion, they could not apprehend that in parts of the kingdom so thinly peopled the increase of these settlements would advance very fast.

In the present doubtful state of that country,* it is supposed that the volunteer corps, who have taken up arms for obtaining a free trade, are for the most part composed of persons who might derive advantage from equitable regulations of property in land. Should these men come to apprehend their own interest in that point, and should they think of insisting on the establishment of any such regulations in favour of themselves and their posterity, or for the community in general, would not their present ascendant enable them to accomplish this desire, if not carried to any intemperate extreme?

and cultivators? Would they have suffered less injustice if deprived of this great share of the produce and just reward of their industry by the landlord, than if deprived of it by the middleman? What right can the landlord have acquired by purchase, which he cannot transfer to the middleman during his lease?

The middleman is described to be one whose business and whose industry consist in hiring great tracts of land as cheap as he can, and reletting them to others as dear as he can. May not the landholder and his ancestors be described as a race of men whose business and whose industry have for successive generations consisted in buying up large tracts of land as cheap as they can, and letting them to others as dear as they can?

It must be difficult to say what right the one set of men, more than the other, can have to appropriate any share of the produce of additional industry employed by the cultivator in improving the soil: the injustice and absurdity of the landlord's claim to improvable value may appear in the strongest light when considered in this delegated form.

Were the Sovereign of Ireland an absolute monarch, and did he interpose when the middleman's lease becomes vacant, to prevent the landlord from exacting more rent than he formerly received, would not that award be made in conformity to natural justice, and the best principles of that public economy, according to which the rewards of industry ought to be distributed?

* September, 1780.

Would not this be a much more important object, and more worthy of their generous enthusiasm, than that almost nominal independence of Great Britain, which they appear at present so eager to obtain? Is it not at the same time the interest of Great Britain that their ardour should take this direction,—for avoiding the threatened contest, for increasing the common strength in the most effectual manner, for diverting the industry of Ireland from an immediate rivalry in manufactures, which, notwithstanding all suppositions to the contrary, is very justly to be dreaded by Great Britain. Had the minds of men been prepared in any degree for thinking with freedom on the subject of landed property, and could the times have admitted of any hazardous delay, it might have been reckoned very liberal policy in the British Minister to have undertaken the patronage of the Irish common people against their own parliament and landholders, and then at least, when he promoted the bills relative to freedom of trade, to have annexed to them conditions of regulation for landed property, by which the freedom of agriculture might have been established at the same time.

It is only in purely democratical governments, of which there are very few, or in unlimited monarchies during the reign of a sovereign endowed with superior wisdom and capacity, that any sudden or effectual reformation of the abuses of landed property can be expected.* Of all the absolute princes who have reigned

* The more unlimited that power is with which any monarch is invested, the more it seems incumbent on him to attend with peculiar care to the protection of the common people. Other ranks have their privileges, their wealth, and acquisitions of various kinds, to protect and support them; but the common people have none of these, and not having

in Europe for many ages, none has appeared so well qualified as the present King of Prussia for conceiving and carrying into execution, in the best and most genuine form, any great and singular project of this nature. Had the idea of reforming the constitution of landed property presented itself to his mind, in the

representatives in any legislative council, as under limited monarchs, the sovereign himself is in fact their representative, and cannot but perceive that he ought to be in a more particular manner the guardian of this helpless class of men.

Perhaps even the oppression of the *taille*, if it must not be removed, might in some degree be alleviated, by communicating to the cultivators a more permanent right in the soil which they cultivate.

The condition of *Metayers*, who pay a certain proportion, generally one-half of the produce of their farm, might receive a very great improvement, attended with great increase of profit to the landlords themselves, if that payment was to be regulated by valuations of the produce made at considerable intervals.

It is not probable that the narrow views of the landholders will permit them to embrace such a general plan. Could the Sovereign authority be employed to compel them, it would be a very glorious and beneficial exertion of absolute power.

It may be received as a general maxim of very important application, that if any rent, tax, *taille*, or *tithe* is to be levied from the produce of cultivation, and to bear proportion to the increase of that produce, the interest of the cultivators, and of the persons having right to the tax, will be most effectually combined, not by an annual variation of its amount, nor by a rate fixed for ever, but by a periodical valuation, returning after fixed and considerable intervals.

Unlimited monarchs themselves, in resuming and regulating the improvident grants which their ancestors have made of Crown lands, forests, and domains, find it requisite to use much tenderness, and to take many precautions for avoiding odium, when these resumptions are to be made for the advantage of the treasury alone (see *Compte rendu au Roi*, par M. Necker). But if the leading object of such resumptions was understood to be a desire of accommodating the industrious poor of the neighbouring districts with small independent settlements in full property, such a benevolent measure, while it might be made to promote the increase of the revenue very much, could not fail to meet with the national applause.

earlier part of his reign, or had it been suggested by any of the philosophers whom he called around his throne, that penetration with which he discerns, and that royal patriotism with which he steadily pursues the real advantage and strength of his state, together with the native generosity of his sentiments, must without doubt have attached him very strongly to a scheme so magnificent and so beneficial. And however difficult the execution might have proved to other princes, it is plain that no material obstacle would have presented itself to that high authority wherewith this monarch is accustomed to regulate and to change the most respected establishments of his kingdom. It may be deemed no slight confirmation of the preceding speculations that this sagacious prince, although it does not appear that he has ever entered into any theoretical investigation concerning the nature and just extent of the right of landed property, has in fact practically adopted some of those maxims which such investigations tend to establish. No object is said to engage his attention more than the protection of peasants from the power of their lords. Amid the rigour of a military discipline by which his armies are rendered superior to any that the world has seen elsewhere, every native Prussian soldier is accustomed to the domestic engagements of a citizen and the industrious economy of a farmer or artizan ; and during peace, one-half or two-thirds of them are dismissed to the cultivation of the fields, or other industrious occupations, for nine or ten months in the year.

Posterity will probably applaud this happy combination, and the very simple plan by which it is accomplished, above all those manœuvres of the

parade and of the field which his contemporaries are so proud to imitate. As for the landholders, so little is he influenced by partiality to them, or any apprehensions of their discontents, that he actually levies a tax of thirty-three per cent. (and in the case of noble tenures more) on the real, not the supposed, rents of their estates. Is not this treating them (in conformity to that idea of their just rights formerly suggested) as merely trustees or bankers for the public, to the full amount of the original value of the soil?

75. Still, it must be acknowledged that after setting aside all objections arising from the interest of landholders, and the prejudices of established opinion, there are not wanting others of a general nature which may be opposed, and not without some appearance of foundation, to the establishment of a progressive Agrarian law. That uncertain and fluctuating state into which all possession of land beyond the standard farm will be thrown, may be apprehended to prove extremely unfavourable to any spirited and vigorous cultivation, which is chiefly to be looked for in extensive farms. In the plan of a progressive Agrarian, more than one clause is calculated to moderate this fluctuation; greater force may be given to these, and new clauses of corresponding effect may be added. It might be provided, for example, that none but barren and uncultivated lands should be open to claimants at all times; cultivated lands only one year in seven, or any longer period that may be thought requisite for the security of cultivation; neither indeed ought uncertainty of

possession to damp very much the spirit of improvement, while the improver is still secure of an adequate reward for the pains he may have taken; and that reward is to be assigned him by the verdict of an assize; at the worst, in proportion as the spirit of improvement may be damped in extensive farms, it will be encouraged and excited in the smaller, where possession and full property is rendered secure; and in these, improvements being carried on under the immediate continual inspection, and almost by the hands of the improver himself, they will be accomplished with more economy, that is, with more advantage to the public and to individuals than commonly happens in extensive undertakings of this sort.

The discouragement of established manufactures and the increase of litigious contention are in like manner objections which must be admitted to a certain extent, yet not to that degree as to be accounted national calamities, or to equiponderate the obvious and great advantages likely to arise from a due regulation of landed property.

It cannot be supposed that any great number of men, educated to manufactures and accustomed to the practice of mechanic arts, will be withdrawn from their respective trades, even by the free opportunities of engaging in independent agriculture; but a competition will take place with respect to the rising progeny of the present race, and if the greater number shall attach themselves to agriculture, it need not be regarded as any detriment to the public, since, the number of citizens remaining the same, they will be employed in a way which they themselves prefer, and probably

to the advantage of their health and of their manners.*

With whatever violence the increase of litigation may break forth in consequence of regulations so new, so important, and not a little complicated, the duration of that evil cannot be very lasting. In a few years doubtful cases will be cleared up, and precedents of extensive application will be established, and whilst the attention of judicatories and of clients is engaged in settling these new points, the influence of other causes by which litigation is commonly produced will be in some degree suspended.

As for the beneficial effects of such a statute, the candid and intelligent are requested to estimate in their own thoughts what these might prove in the district

* Even in Great Britain, although the whole legislative power rests in the hands of the landholders, it is not too sanguine to hope that time and favourable occasions, and general views of public good, which, in this fortunate country, have sometimes triumphed in part over the strongest partial interests, may give rise to some innovations favourable to the independent settlements of the labouring poor.

At the conclusion of this or some future war, may not the indulgence granted to disbanded soldiers be extended so far as to enable them to make small settlements after the manner of the progressive Agrarian law in the uncultivated lands of their respective parishes or counties.

May not the present method of dividing and enclosing commons, which, though favourable to cultivation, is known to curtail very much the independent rights and comfortable circumstances of the lower orders of the poor, be exchanged for some plan more allied in its aim to the provisions of a progressive Agrarian.

If the present system of division is still retained, might not the common so enclosed be made liable to options similar to those of a progressive Agrarian law, to commence after it has been fully improved, or fifty years after the division?

Might not persons possessing land in right of the Church be enabled, under proper limitations, to grant leases of very considerable duration on farms of a certain small extent? Might not some plan

with which they are most particularly acquainted, and to consider whether it would not very much improve the condition and the prospects of the day labourer, the hired servant, and the working manufacturer, without imposing on the established farmer or the landlord any unjust or even any considerable inconvenience? Whether it would not lessen the number of the indigent and the idle, and so reduce the rate of that tax by which the rich are obliged to maintain them? Whether it would not tend to promote cultivation and the fertility of the soil, to favour the increase of population, and to improve the manners and virtues of the great body of the people? After having made this estimate, let them consider what might have been the present state of that district had such a progressive Agrarian law or any

be devised by which the interest of the Church, of the present incumbents, and of the industrious poor, might be consulted at the same time?

If ever England or Ireland should set to the other nations of Europe an example of the highest prudence and advantage by establishing a periodical valuation of tithes, it may be hoped that some provisions allied to those of the progressive Agrarian may be made to enter into that plan, for the sake of increasing the amount of that gross produce whose value is to be periodically ascertained.

If ever any plan shall be carried into execution for a sale of Crown lands and forests, it may be hoped that so favourable an occasion of consulting the independence of agriculture, by providing for the labouring poor opportunities of permanent settlements in small farms, will not be neglected; and that even the consideration of a little more increase of the revenue which might arise from pursuing other measures will not be put into comparison with it.

Ought not every estate which descends to heirs in tail to become subject *ipso facto* to some branches of a progressive Agrarian?

Might not the heir of such an estate be enabled to make void the entail over one-third or fourth part of the estate, and to alienate it at pleasure, provided it is broken down into small farms of a single plough each, on leases of 300 years, or made subject to the options of a progressive Agrarian law, before this alienation takes place?

capital branch of that statute been established there one hundred or even fifty years ago.*

* The wisest and most beneficial schemes are in some men's opinions effectually turned into ridicule, when it is shown, or even asserted, that they cannot be carried into execution. The consideration of such plans may, however, put to shame the abuses of those which are established, by showing how widely they differ from what is beneficial or wise. If the exhibition of such a contrast cannot remove pernicious abuses, it may in some degree restrain the rapidity of their increase.

Various objects have engaged the enthusiasm and excited the efforts of mankind in successive ages: schemes of conquest and settlement in one age; plans of civil and religious liberty in another; manufactures and commerce have now their turn; and perhaps in some not very distant age the independence of cultivation, established on a just regulation of property in land, may become the favourite pursuit of nations, and the chief object of public spirited endeavours. The present tendency of men's opinions and inquiries, promoted by the actual state of the most enlightened nations, seems to lead towards it.

“Sic poscere fata,

“Et reor, et si quid veri mens augurat, opto.”

FINIS.

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WITH SIDE ISSUES, BY THE EDITOR.

“ See yonder poor, o’erlabour’d wight,
So abject, mean, and vile,
Who begs a brother of the earth
To give him leave to toil;
And see his lordly *fellow-worm*
The poor petition spurn,
Unmindful tho’ a weeping wife
And helpless offspring mourn.”

Robert Burns (says his brother Gilbert) “used to remark that he could not well conceive a more mortifying picture of human life than a man seeking work”. The life problem of the present day was clearly seen by Burns more than a hundred years ago, and he then pointed out that monopoly in land was the main source of human misery. He looked up to heaven and called as his witness—

“ THE SUN that overhangs yon moors,
Out-spreading far and wide,
Where hundreds labour to support
A haughty lordling’s pride ”.

This miniature sketch was drawn from real life in his *own* country. Then, casting his eye beyond Scotland,

and seeing landlordism rampant everywhere, he exclaimed—

“ But, oh ! what crowds in ev’ry land,
All wretched and forlorn ”.

William Ogilvie, who was a compatriot of Burns, was born in the year 1736, and was thus twenty-three years older than Burns. The scenes from which Burns took his pictures must have been familiar to Ogilvie. Both were lovers of mankind, and there was a very strong mental affinity between them. Ogilvie was known as “ the gentleman an’ scholar,” but never (except within a very limited circle) as a Land Law Reformer. This is a regretful circumstance. It is equally regretful that Burns is more known as “ a rhyming, ranting, roving billie ” than as a pioneer and great thinker, in regard to reforms for the benefit of mankind. If we study his epic of the “ Twa Dogs,” and his other writings in prose and verse relating to the Land Question and Man’s Natural Rights, not only in the light of his own time, but also in the fierce light of the present day, we shall not be surprised at anything we find in Ogilvie’s book. Even the seemingly modern-looking SINGLE TAX proposition, so clearly laid down by Ogilvie, will not astonish us. A look at the “ Twa Dogs ” shows us how *Cæsar* was able to take a more advanced view of the situation than *Luath*. No doubt if William Ogilvie had been a poet instead of a philosopher, he would have expressed the thoughts he has given us in sections 1, 2, 28, and 29 of his book somewhat after the manner of the lines above-quoted.

Ogilvie and Burns saw eye to eye ; but while Burns roused up his fellow-men from the gutter of serfdom, Ogilvie reasoned with them as to the causes which

brought them to such a low condition, and also as to the means of reclaiming their natural rights. Ogilvie considered the whole question from a magnanimous, impartial, and truly scientific point of view. He pleaded for "free inquiry"; he sought after truth; he was not one of those rough-and-ready reformers who would simply say, "Abolish landlordism and all evils will vanish". No. He looked upon modern landlordism not as a cause but as an effect. The primary and fundamental cause of all the evils under which humanity suffers is traced by him to man's want of knowledge; and landlordism, with all its consequent evils, under which humanity groans, according to him, is directly owing to man's ignorance of his natural rights. It is this ignorance which begets slavish submission and breeds oppression. Ogilvie considered the situation logically. In his view IGNORANT HUMANITY MUST NEGLECT ITS RIGHTS, AND WITHOUT ITS RIGHTS CANNOT PERFORM ITS DUTIES. Rights and duties are co-relative. Ogilvie recognised this very old maxim of Natural Law. He saw the dishonest and absurd position which the landlords take up in every country. They first rob their fellow-men of their natural rights, and then they add insult to injury by accusing them of neglecting their duties. They call them poor and lazy, while at the same time they, as a rule, do no productive work themselves, and their whole wealth consists of property created by the labour of others. And these "freebooters," as Ogilvie calls them, are styled noblemen and gentlemen, and have arrogated to themselves the position of rulers and legislators in almost every country under heaven.

The people's ignorance of their natural rights is not only the primary, but it is also the sustaining, cause of

landlordism. "Keep the people ignorant," says the tyrant to the priest, "and I'll keep them poor." In a note to section 'I of Ogilvie's book, reference is made to the ignorance of mankind thus: "In no article are they more ignorant than in respect to property in land, the established rules of which are in every country accounted permanent and immutable". The divine right of kings was until yesterday accepted as an article of faith, and we in Britain are still foolish enough to recognise grants of land signed by authority of *such* "divine" mandates! We do not now recognise the right of living monarchs to do such things, and yet we confirm, acknowledge, and practically homologate the musty parchments of King Tom, King Dick, and King Harry. "These be thy Gods, O Israel!" Their charters to the landlords, and the sub-charters by these landlords to others, including conveyances for borrowed money, are the *only* SACRED WRITS recognised in our Courts of *Law*. Mark the word "*Law*". Justice has to take a back seat whenever one of these SACRED WRITS is produced.

All titles to land are fetishes. In this country they are the fetishes of discarded and dead divinities. But such is the power of ignorance and superstition when established and maintained by LAW AND ORDER that these fetishes are held much more sacred now than in the so-called dark ages.

Our Judges are *pecially paid*, and *sworn in*, not to question these SACRED WRITS. Our *National* Clergy are also *pecially paid*, and *sworn in*, to instruct us about the SACREDNESS OF THESE WRITS. There is no water in the sea, and there is no bribery and corruption in the British Isles! No! We thank Heaven that we are

not governed like other countries, where, as in America, bribery and corruption are *sometimes* investigated, and even exposed and punished. Our "permanent official" keeps all these things *square*! We British are a "Christian Nation"! If "agitators" would only keep away, the people would be contented and happy with their hope of glory in heaven. Why should *they* care about this earth—"this wicked world"? Why should they rebel against LAW AND ORDER? If they do not suffer oppression, misery, injustice, and poverty in this world, where do they expect to go when they die?

Somehow the rich do not act in accordance with a belief in our Creeds and Catechisms, but they nevertheless support by endowments and otherwise the establishment and spread of that *unearthly* Gospel *for the poor*! Ogilvie, by the way, makes a mild suggestion about an endowment for "the independence of the plough"—an endowment leading to "virtue and happiness *in this world*". He believed a little in that sort of thing.

Knowledge is no longer a *civil* crime. We can, for example, glance at the *style* of Fetish by which the land in Scotland *was seised*, and "by virtue of" which it is *now* held by the landlords. It is called an "Instrument of Sasine" or "Seizin," from the verb "seize". It begins with the words: "IN THE NAME OF GOD, AMEN!" and then narrates the *sacred* ceremony by which the landlords *required* "to complete their title"! The sole purpose of this ceremony was to declare and promulgate the doctrine of the "divine right of landlords": a doctrine which was superinduced upon Feudalism by the aid of Priestcraft sometime during what we call the dark ages. And it is more than probable that it was during these dark ages that the same pernicious doctrine

was ingrafted upon the faiths of *Christian Europe*. It was this that barred the doors and windows of men's minds against the smallest possible ray of knowledge "in respect to property in land," and hence the ignorance and superstition of "the bulk of mankind in every country," as Ogilvie truly states in his book (Note, p. 7). The doctrine of the "divine right of landlords," when fully established as an article of Faith in the minds of a people, notwithstanding its ridiculous monstrosity, its opposition to natural justice, and its poisonous effect on the natural feeling of patriotism and love of one's home, is as difficult to dislodge as *any other article of Faith*. But let this doctrine stand alone, without the aid of Priestcraft, and it will no longer be "accounted permanent and immutable, as being fixed by the destination of nature".

We get a very bright glimpse of Ogilvie's character further on (section 38), where he deals with the "*divine rights*," by which Landlords and the Clergy levy rent and tithes. He puts these "*divine rights*" in one basket, and thus disposes of them: "The foundation of both rights, notwithstanding prejudices on either side, is precisely the same, viz., *the improvident regulations of municipal law*". Not only was he before his own time, but his views are about a century in advance of even the present day. But we can see this only after a careful study of his book, and by reading between the deep furrows which he has turned up for us. He knew from history that it is not by the sword that doctrines and beliefs are instilled into the minds of men. William the Conqueror introduced what is *called* Feudalism into England, *by the Pope's authority*, "IN THE NAME OF GOD, AMEN!" His successor, Henry II., introduced it

into Ireland, *by the Pope's authority*, "IN THE NAME OF GOD, AMEN!" It was somehow smuggled into Scotland, whether by the Pope's express authority is not known, but that it was done "IN THE NAME OF GOD," and that the Priest said "Amen!" there cannot be a doubt; and on that blasphemous and fraudulent basis it now stands in Democratic, Presbyterian, and Protestant Scotland. It took many centuries to develop itself in the little country of the Scots. Strange to say, the overthrow of the Church of Rome, and the establishment of Protestantism at the *Reformation*, largely contributed to the establishing of the doctrine of the *divine right of landlords* in the Scottish mind.* The Landlords then made themselves the Patrons of the Religion of the people, and they not only "grabbed" all Church lands, but they also "grabbed" all the tithes, allowing only a pittance

* Note also that another *Reformation*—the Revolution of 1688—was utilised in the same way by the *Divine Party*. The "False Argyll" reported that the people of Glencoe refused to discontinue the ancient Scottish tenure, and this was the *excuse* which led to the massacre in 1692. These little bits of history are carefully slipped over by the majority of our so-called historians, like all other facts relating to the people's right to the land. But the most extraordinary thing connected with Scotland and the *divine right of landlords* is to be met with in connection with the last *Reformation*—the "Disruption" of 1843, when the *Free Church* was instituted. A very large section of the Scottish people, and all the Highlanders, then revolted in regard to the landlord's *divine right of property in Church Patronage*. The "Auld Kirk" was deserted. But the clergy of the New (Free) Church have done more in the Highlands of Scotland towards getting the doctrine of the *divine right of landlords* TO THE LAND, into the minds of the people, than had been done by all other forms of *Priestcraft*, from William the Conqueror's time to 1843. This strange fact, and its sad consequences, will be referred to further on. If these "dissidents" had taken up Ogilvie's cue of favouring a just and independent land reform in 1843, the *Free Church* and Scotland would be in a better position to-day.

to the clergy. The great bulk of the tithes are even now pocketed by the Scottish landholders. These tithes, Ogilvie tells us, belong to the public, and he hints that the clergy have a right to be paid for "duties performed to the public," whereas, on the other hand, considering rents as the "*salaries of sinecure offices*," he sees no reason in the world for continuing the payment of them. He thus preached "THE NO-RENT POLICY" from the invulnerable standpoint of historical truth, and wholly in accordance with the principles of justice.

We should not forget that all grants of land were originally given *in trust for the people*, and that the rents were originally levied for public purposes. The landlords were all public officers, but as they by degrees became sole legislators they legalised the embezzlement of all revenue from land. Then they taxed *the landless people*. They schemed many taxes. But the SINGLE TAX *restored* would put an end to all these !

It is the right, the duty, and the *interest* of every citizen to demand the just occupation and taxation of the land, and to insist that the dishonest and criminal administration of private *unlimited* ownership of land should no longer be tolerated.

The ignorance which deludes the people—the whole people—from making this claim was seen by Ogilvie, and he honestly and resolutely set himself to remove it. He saw with disgust that "the farmers and cultivators have no clear perception of the injustice and oppression which they suffer". Even those who thus come in direct contact with landlordism (not to speak of the outcasts in great cities), he says, "do not understand, or dare not consider steadily, from what cause their grievances take their rise".

The declared object of his book, as stated in the title, is to show how "property in land might be rendered more beneficial to the lower ranks of mankind". A somewhat dark, unwritten page in British history relates the disgraceful fact that both author and book were boycotted, and that up to this time (1889!) the lower ranks of mankind in England, Scotland, Wales, Ireland, and the British Colonies never heard that such a man lived, far less that he left them such a legacy. "The worthy and humane English landholders," whom he appointed* as his literary trustees, evidently neglected their duties to the intended beneficiaries. We may guess that the French Revolution gave these worthies a scare, and that the author was regarded in those days as rather a dangerous man. It would be said that he was dangerous to the community, dangerous to society, and dangerous of course to the NATION—*that is*, the landholders. He himself anticipated all that: see section 37 of his book as to what constitutes "any nation"! But I must leave the reader to find out for himself to what extent the work is based upon truth and justice, and how much the author was prompted by love for mankind as the ruling spirit or chief feature of his character.

The facts known about Ogilvie's life are exceedingly scanty, and would of themselves be of little importance; but when considered along with the conception we form of the man as displayed on every page of his book, the smallest scrap of authentic information will in these days be of some interest, not only to "men of enlarged and inquisitive minds," but also to readers in general. It is in the book, however, and in the book alone, that we meet face to face with the author. Ogilvie instilled his soul into

* Introduction, page 5.

it, and he left us evidence that it was the chief aim of his life. We, therefore, should as soon think of separating the man Isaiah from the Book of Isaiah, as we should of separating the man Ogilvie from the book of Ogilvie.

By way of cautioning the reader not to look for a sketch of Ogilvie, necessarily made up of disjointed fragments, it may be stated that the order in which these fragments happened to unearth themselves will be followed as far as possible.* The Scotch newspapers and periodicals, published at the time of his death, tell us the bare fact that he died. The reasons for such neglect are obvious. In the first place, Scotland is not peculiar in her dealings with native prophets; and, secondly, Ogilvie was too advanced in his notions of reform to be considered worthy of any notice in those days. England behaved better. The *Times* of 23rd February, 1819, in recording the fact of Ogilvie's death, records also this:—

“Mr. Ogilvie was one of the most accomplished scholars of the age. His talents were of the first order. His taste was of the most refined and correct nature, and the whole of his very prolonged life was passed in the ardent pursuit of knowledge. He died universally admired for his valuable acquirements, and esteemed by all who knew him in private life for the benevolence of his heart and the faithful discharge of every social duty.”

He is buried in the south transept of the Cathedral in Old Aberdeen. A small tablet in the wall describes him as “William Ogilvie, Esquire of Pittensear, in the County of Moray, and Professor of Humanity in the University and King's College, Aberdeen, who died on the 14th February, 1819, aged 83 years”. This tablet

* A rough cairn is all that can be attempted.

is enough to make us think that we are unearthing the wrong man. Here we have a landlord who is also a University Professor. We know what landlords in general are, and we also know what no less an authority than Adam Smith said about Universities—that they were “the sanctuaries in which exploded systems and obsolete prejudices found shelter and protection after they had been hunted out of every other corner of the world”. When, however, we find Ogilvie hurling this very quotation at his fellow-professors in connection with a University reform he advocated in 1786, and when we also discover that his views and proposals regarding such reform were fully as advanced as his schemes for dealing with property in land, the doubts suggested by the tablet become less formidable.

There was no expectation of meeting with any direct evidence of the authorship of “THE RIGHT OF PROPERTY IN LAND,” but luckily the discharged account for printing the work was recently discovered along with some of Ogilvie’s private papers. The same bundle of papers also contained the following letter from his friend, Thomas Reid, the author of *An Inquiry into the Human Mind* :—

“GLASGOW COLLEGE,

“April 7, 1789.

“DEAR SIR,

“The bearer, Mr. George Gordon, a preacher, wished very much to be introduced to you. As he has been long of my acquaintance, and a young man whom I esteem, I could not refuse him that favour. He is much pleased with *An Essay on Landed Property*, and cannot see a reason (neither can I) why it should go about like a foundling without its father’s name. Men

seem by degrees to improve in the notion of liberty, and I hope likewise will in that of property. But though this earthly globe should be monopolised by a few to the exclusion of others, I hope the intellectual Globe will always be common, and that those who possess the largest share will be still ready to impart to such as are willing to improve it. The bearer professes to belong to this last category, and hopes to increase his stock by a visit to Aberdeen.

“I am, with much esteem and affection,

“Dear Sir,

“Your very humble Servant,

“THO. REID.”

Thomas Reid, it may be mentioned, was a Professor of Philosophy in King's College, Aberdeen, previous to his being chosen, in 1764, as the successor of Adam Smith in Glasgow University. He met Ogilvie in King's College first when Ogilvie was a student there, and subsequently (from 1761 to 1764) as a fellow-professor.

Let us look for a moment at Reid's letter in the light of its own time. The French Revolution burst forth within two weeks of its date. The fall of the Bastille followed quickly on 14th July. The “father” of the “foundling” was, no doubt, considered a very dangerous man! He advocated “free inquiry”! He stirred up, and even predicted this Revolution. He pointed out (p. 40) that the wrongs and sufferings of the cultivators of the soil had reached a pitch *never dreamed of in the philosophy* of those times. “But,” says he (p. 41), “if the intelligent, and the friends of mankind, will take some pains to inquire into the nature and extent of that

oppression under which the industrious peasants groan in secret, and the force of that exorbitant monopoly from whence their grievances proceed ; and if such men will employ the talents which nature hath given them, in explaining these grievances, and the rigour of that monopoly, to the whole world, Europe, enlightened Europe, will not be able to endure it much longer ; and the subversion—nay, even the abatement—of this monopoly, with the abuses flowing from it, may well deserve to be accounted the best and most valuable fruit of all her refinements and speculations.”

Ogilvie finished his *Essay* in 1781, eight years before the French Revolution broke out. He was “well aware that great changes suddenly accomplished are always pregnant with danger,” and he said so (p. 3), as a warning to the “friends of mankind”. He studied the question in his own careful way beforehand, and, as we have seen, foretold what would happen. But the oppressors and their tools turned a deaf ear to all warnings. Every page of his book is full of humane wisdom, and while he manifests great sympathy for the oppressed, his feelings regarding the oppressors are mingled with a kind of sympathetic pity, rather than pure indignation. His very strong sense of justice was balanced and kept within reasonable bounds by his knowledge of the world’s history and his study of the Laws of Nature, and especially his study of human nature.

The temptation to digress and quote is strong, but must be resisted, and the reader is left to make his own digressions in company with the author, and view such collateral facts as the French Revolution, the reforms of Frederick the Great, the conduct of Europe—not “Enlightened Europe”—towards French Independence,

and especially the conduct of England in regard to that crusade ; the condition of British India, the condition of Ireland, the lessons of the American War of Independence, and many other matters of history prophetically suggested between the lines.

The present state of "Enlightened Europe," with its growing evil of military despotism, its heaps of wealth in the hands of a limited number of individuals or syndicates, the terrible increase of public debts, the growing struggle for existence, the appearance of old-world evils in new countries, all mainly due to the general neglect of the natural rights of mankind in this matter of property in land, must suggest to the dullest reader that we are still far from realising what the author looked forward to in the last paragraph of his book, and what his compatriot Burns prayed for, and prophesied thus :—

" THEN LET US PRAY THAT COME IT MAY,
AS COME IT WILL FOR A' THAT,
THAT MAN TO MAN THE WARLD O'ER,
SHALL BROTHERS BE FOR A' THAT ".

It is impossible to say that such a lover of mankind as William Ogilvie kept himself willingly behind the scenes during his whole life. It is perhaps more correct to say that he did not ; and that it is only now that the curtain of error and prejudice is being raised. When we know that even Burns's bright star was almost totally obscured in those dark days, what chance could the like of Ogilvie have had? Burns died of hard work and starvation. He carried about with him a broken heart and a shattered frame from the time he was a mere boy, when he was compelled to overwork himself at the plough, at the scythe, and at the flail, trying to assist his

struggling parents to pay an impossible rent. He saw his father murdered—sacrificed on the altar of landlordism, in “Christian,” “Bible-loving,” “pious,” but, *then*, laird-worshipping Scotland. Burns never recovered from the effects of this landlord oppression to which he was subjected in his youth, and especially the shock of his father’s death. Scenes like the following picture of wretched Scotland in those days may have prompted Ogilvie to write his book. It is the “gentleman an’ scholar” speaking in the “Twa Dogs” :—

“ L—d, man, our gentry care as little
 For *delvers*, *ditchers*, an’ sic cattle ;
 They gang as saucy by poor folk
 As I wad by a stinkin’ brock.
 I’ve notic’d, on our Laird’s *court-day*,
 An’ mony a time my heart’s been wae,
 Poor *tenant bodies*, scant o’ cash,
 How they maun thole a *factor’s* snash ;
 He’ll stamp an’ threaten, curse an’ swear,
 He’ll *apprehend* them, *poind* their gear ;
 While they maun stan’, wi’ aspect humble,
 An’ hear it a’, an’ fear an’ tremble ! ”

It was in 1775, when Burns was sixteen years of age, that his soul was impressed by this painful experience. In his autobiography he says : “ My father’s generous master * died ; the farm proved a ruinous bargain ; and, to clench the misfortune, we fell into the hands of a factor who sat for the picture I have drawn of one in my tale of ‘ The Twa Dogs ’. There was a freedom from his lease in two years ; we retrenched our

* This is the language of serfdom. In the Court of Session (*ultra vires*), *Act of Sederunt* of 1756, anent Evictions, the terms used are “ masters and tenants ”. Thus qualified, the word “ tenants ” legally meant *serfs*. The *bond* was called “ a lease ”. Mark the words “ freedom from his lease ”. The “ tenant-at-will ” was a mere slave.

expenses and lived very poorly. A novel writer might perhaps have viewed these scenes with satisfaction ; but so did not I. My indignation yet boils at the recollection of the scoundrel factor's insolent, threatening letters, which used to set us all in tears." These words were penned in August, 1787, and the scene of 1775 was still burning in the soul of the poet. In the interval Adam Smith published his great work, *The Wealth of Nations*, in 1776, and Ogilvie's book followed. But we should also notice that another Scotsman was before them, namely, Thomas Spence, who, on 8th November, 1775, delivered a lecture before the Philosophical Society of Newcastle, in which he declared, in the strongest terms, that all men "have as equal and just a property in land as they have in liberty, air, or the light and heat of the sun"; and for the printing of that lecture, the Newcastle philosophers, he tells us, "did him the honour to expel him" from their Society.

Burns and Spence belonged to what the world calls the *lower orders*, whereas William Ogilvie of Pittensear was a born and bred patrician, and was lineally descended from Gillecrisp, who was the last *Maor Mor* of Angus, one of the seven provinces of Celtic Scotland. This Gillecrisp, having in the reign of Malcolm Canmore dropped the Celtic official designation of *Maor Mor* for the feudal title of Earl, thus became the 1st Earl of Angus. His son Gilbride succeeded him as 2nd Earl. Gilbert, the third son of this 2nd Earl, became the progenitor of the Ogilvie family. On account of having distinguished himself at the Battle of the Standard in 1138, he obtained from King William a grant of the lands of Ogilvie and others in Angus, and thence assumed the surname of Ogilvie. From this

Gilbert Ogilvie no less than three Scotch earldoms have sprung—namely, Airlie, Findlater, and Seafield. The Ogilvies of Pittensear belonged to the Findlater branch, which branch originally held the two earldoms of Findlater and Seafield. The Seafield peerage, on the failure of males, passed, through a female, to the Grant family in 1811; but the Findlater peerage, being limited to males, then became dormant. The kinship between William Ogilvie and the Earls of Findlater and Seafield was more real and substantial than a mere matter of pedigree. It was through the Earl of Findlater and Seafield, he himself tells us, that he was appointed Professor at King's College, Aberdeen. In writing to a friend at the time (1761) he says: "I must not forget to tell you that I owe it entirely to Lord Deskfoord, who is certainly of all patrons the most unwearied and generous".* Lord Deskfoord was then Chancellor of the University and King's College. He became the 6th Earl of Findlater and 3rd Earl of Seafield on the death of his father in July, 1764. Some letters between him and the University authorities,† before and after this date, contain several interesting biographical glimpses of Ogilvie, and they also show the extremely careful diplomacy which had to be exercised in those days in regard to the introduction of any *new light* into universities.

Ogilvie, like his more distinguished compatriot, Burns, was by birth and lineage an anti-Whig, and, as a man, he must have despised the wirepulling *Scotch Whigs* of his time as "*but a pack o' traitor louns*"! He was the only son of James Ogilvie of Pittensear, Morayshire, and of Marjory Steuart of Tannachy, in the neighbouring

* Appendix, II.

† Appendix, I., III., &c.

county of Banff. There is no authentic account of his boyhood, but it may be assumed that he was brought up in the little mansion-house of Pittensear, and that he attended the Grammar School at the county town of Elgin until he left home for College. Pittensear House is within three miles of Elgin.

At the age of nineteen he entered King's College, Aberdeen, as third bursar of his year, 1755-56. He graduated in 1759, and was then appointed Master of the Grammar School at Cullen. He remained in Cullen only for a year. We find him attending the Glasgow University during the winter session of 1760-61, and the Edinburgh University during the winter session of 1761-62. In Glasgow, he studied under Dr. Joseph Black, at the very time that eminent chemist was expounding his great discoveries regarding "Latent Heat and Specific Heat," and when James Watt was busy in his little workshop in the College buildings making *his great discoveries*. We may safely conjecture that Ogilvie paid many visits to that little shop along with Joseph Black and other frequenters, and we may put it down as a certainty that he did not miss the lectures of Adam Smith (author of the *Wealth of Nations*), who then occupied the Chair of Moral Philosophy. Among the eminent professors in Edinburgh whose lectures he presumably attended were Dr. Blair, Professor of Rhetoric, author of *Lectures on Belles Lettres*; Dr. Adam Ferguson, then Professor of Natural Philosophy, afterwards of Moral Philosophy, author of an *Essay on the History of Civil Society*, and a *History of the Progress and Termination of the Roman Republic*; and Dr. Cullen, Professor of Chemistry, famous for being the first in Britain to teach chemistry as a science.

Ogilvie was, on the 29th of November, 1761, appointed an Assistant Professor of Philosophy in King's College, Aberdeen, "upon the assurance which the members (of the College) gave Lord Deskfoord that he should be chosen into the first vacant office that might happen of a Regent's place".

The *first vacancy* occurred on the 16th of October, 1764, when Thomas Reid, Regent and Professor of Philosophy, resigned. A private letter from Lord Deskfoord to Ogilvie * shows clearly that his Lordship was by no means sure of the *assurance* above referred to. Careful diplomacy was still required, and Ogilvie had to be warned how to go about getting this *assurance* fulfilled. Lord Deskfoord was aware, by the time Ogilvie had taught for two years as Assistant Professor, that he had shown himself a little too much as a *new light*, notwithstanding hints and advices from his Lordship and others to keep himself as much as possible *under a bushel*, until he became one of the members (or "Masters," as the professors were then called) of the University. The "Masters" *were masters of the situation* in those days! Like landlords and the managers of rotten burghs, they exercised the sole power of appointing their successors.

Ogilvie did not begin to teach as a "Professor of Philosophy" in King's College until November, 1762, when an engagement under which he was at the time of his appointment, as tutor to a Mr. Graeme, expired. It was also his own desire "not to leave Edinburgh" during the winter of 1761-62; "and, further," says Lord Deskfoord, "he apprehends that his attending the most eminent professors at Edinburgh for this session may

* Appendix, VI.

qualify him better than he is at present for teaching afterwards in the College of Aberdeen”.

It was still the old system of teaching in Aberdeen, and Ogilvie, as a “Professor of Philosophy,” was expected to teach the whole circle of the sciences—“the sciences of quantity, of matter, and of mind”. There were no separate Professors of Mathematics ; of Natural Philosophy, Natural History, Chemistry, or Botany ; of Logic or Moral Philosophy, in King’s College in those days. The three Regents (who were generally styled “Professors of Philosophy”) were expected to teach all these subjects, and also to give lectures on Geology, Meteorology, Astronomy, Natural Theology, Rhetoric, Economics, Jurisprudence, and Politics.* The students, under the old system, did not change from one professor to another ; but each Regent, in his turn, took the second year’s class, and carried on the same students continuously for three years.

In 1765, the year after Ogilvie’s appointment as full Regent, he exchanged offices with the Professor of Humanity. This gave him greater scope, as all the students attended the Humanity Class. A letter from his friend the Earl of Findlater and Seafield (“the most unwearied and generous of all patrons”) to the Principal of King’s College, dated 16th September, 1765,† contains interesting information regarding this exchange. This letter is another example of the chancellor’s

* See *Account of the King’s College of Aberdeen*, “drawn up for Sir John Sinclair, in 1798,” and “revised by the gentlemen of the College”. Greek, after 1700, was taught by the fourth Regent to the first year’s class.

N.B.—The reader is allowed to guess who the *anonymous* writer was. The *Account* looks very like Ogilvie revised.

† Appendix, VII.

diplomatic influence over these *Masters*. The Chair of Humanity was now raised from "merely teaching the elements of the (Latin) Language," by the addition of "lectures upon Antiquities, History—both Political and Natural—and likewise upon Criticism and Rhetoric". On the 23rd of September, 1765, the Masters approved of the proposed exchange, and from this date Professor Ogilvie taught the Humanity Class until 1817,* when, *at his own request*, an assistant and successor was appointed. "For upwards of half-a-century Prof. Ogilvie was perhaps the most energetic member of Senatus, his decidedly progressive views bringing him not unfrequently into conflict with his more conservative colleagues. The pages of the College Minutes during his incumbency bristle with protests against, and reasons of dissent from, the decision of the majority." †

During the period from April, 1759, to November, 1762, we may take it for granted that Ogilvie lost no opportunity of acquiring such knowledge and accomplishments as he deemed a professor in those days should possess. Besides his attendance at the Glasgow and Edinburgh Universities, it is most probable that he visited England and the Continent, and made himself acquainted with the various systems of teaching carried on in the principal seats of learning in Europe. He was travelling tutor and companion to Alexander, 4th Duke of Gordon, and the fact of the Duke's having visited the Continent is well known, but there is an uncertainty as to the precise date. It may be mentioned that Adam Smith resigned his professorship in Glasgow

* See Appendix, p. .

† Note by Mr. P. J. Anderson, Secretary to the NEW SPALDING CLUB, in *Scottish Notes and Queries* for June, 1889.

about the year 1763, on account of his engagement as travelling tutor and companion to Henry, 3rd Duke of Buccleuch, and as Gordon was Buccleuch's senior by three years, it is not improbable that Gordon and Ogilvie visited the Continent about the years 1760-61, or '62. But be this as it may, the reader will not fail to see from *The Right of Property in Land* that its author not only visited the Continent of Europe, but that he also made a special study of the condition of its people about the latter half of the eighteenth century. He saw the French Revolution coming, and the causes leading up to it: "The widow is gathering nettles for her children's dinner; a perfumed seigneur, delicately lounging in the *Œil de Bœuf*, hath an alchemy whereby he will extract from her the third nettle, and call it rent".*

He saw REAL MISERY—

"When man has reached the last extremity, he comes, at the same time, to the last expedients. Woe to the defenceless beings who surround him! Work, wages, bread, fire, courage, willingness,—all fail him at once. The light of day seems to die away without, the moral light dies out within; in this gloom, man meets the weakness of woman and childhood, and puts them by force to ignominious uses.

"Then all horrors are possible. Despair is surrounded by fragile walls, which all open into vice or crime.

"Health, youth, honour, the holy and passionate delicacies of the still tender flesh, the heart, virginity, modesty, that epidermis of the soul, are fatally disposed of by that blind groping which seeks for aid, which

* Carlyle's *Past and Present*, inspired by Byron, see AGE OF BRONZE XIV. "The grand agrarian alchemy, high rent."

meets degradation, and which accommodates itself to it. Fathers, mothers, children, brothers, sisters, men, women, girls, cling together, and almost grow together like a mineral formation, in that dark promiscuity of sexes, of relationships, of ages, of infancy, of innocence. They crouch down, back to back, in a kind of fate-hovel. They glance at one another sorrowfully. Oh, the unfortunate ! how pallid they are ! how cold they are ! It seems as though they were on a planet much further from the sun than we." *

In Ogilvie's time landlordism was most rampant in his own country. He witnessed the passing of the Act 1747, by which military tenure in all Scotland, and the ancient clan tenure in the Highlands, were respectively abolished ; and he must have noticed with much pain the establishment of serfdom which followed. He saw oppression, poverty, and misery introduced by "THE REIGN OF LAW AND ORDER"† which then prevailed ; and, worst of all, he saw the Scotch peasantry not only submitting to the lawless oppression of the tyrant, but also cringing before the very parasites of squirearchy.

The soul of Justice as well as the soul of Freedom had fled from Scotland in Ogilvie's time, and he himself was compelled to live as a sort of exile *in his own country* ! Reader, do not, therefore, wonder that in his book on the Land Question, while he referred to almost every country in the world, he was obliged to draw his pen through Scotland and its people. He refers to England like an Englishman, to Ireland like an Irishman, and he even stands up as a patriot for Orissa and

* Victor Hugo's *Les Misérables*.

† See page 30.

Bengal ; but he draws the line sharp and clear when at p. 14 we find him referring to England, Bengal, Egypt, Ireland, "or the northern counties of England"! At first sight, with the suspicion that Ogilvie was a good old Radical, and certainly not a *Scotch* Whig whatever he was, I thought that this was a sarcastic reference to Scotland ; but, on consulting his compatriot and contemporary, Burns, I am satisfied that the omission of all reference to Scotland proceeded from sheer disgust at the utterly slavish condition of his countrymen at the time he wrote. His only hope lay in the adoption by Scotland of the *English* Revolution principles of 1688. If the Scots, the Irish, and also the French had joined in that Revolution and assisted the English in selecting a MAN, instead of a Prince, as chief trustee of those rights and liberties which the Revolution gave birth to, it would have been better for all. Peace and Reform, instead of war and tyranny, would have followed. It was the Prince of Orange that, in 1692, granted the warrant for the Massacre of Glencoe. He, and the intriguers who procured, and the savages who executed, the royal mandate, ought to have been *suspended*. Scotland was evidently denied *English* justice as well as *English* liberty. The Revolutions of 1715 and 1745 were natural consequences. Some time after 1745, Scotland was made a recruiting ground for an army and a navy used in maintaining the slave trade, and also in fighting against American Independence. Add to this the effect of internal strife between creeds and factions, a corrupt executive government, not to mention landlord oppression, and the words knavery and slavery will suggest themselves as applicable to the condition of the inhabitants of Scotland then. In Ogilvie's time many

thousands *were forced* to emigrate "in search of their natural rights".

On the 25th of June, 1794, Burns wrote to his friend Mrs. Dunlop: "I am just going to trouble your critical patience with the first sketch of a stanza I have been framing as I passed along the road. The subject is LIBERTY. You know, my honoured friend, how dear the theme is to me. I design it as an irregular Ode for General Washington's Birthday. After having mentioned the degeneracy of other kingdoms, I come to Scotland, thus:—

"Thee, Caledonia, thy wild heaths among,
Famed for the martial deed, the heaven-taught song,
To thee I turn with swimming eyes;
Where is that soul of freedom fled?
Immigled with the mighty dead,
Beneath that hallowed turf where WALLACE lies!
Hear it not, WALLACE, in thy bed of death!
Ye babbling winds, in silence sweep;
Disturb not ye the hero's sleep,
Nor give the coward secret breath!"

We may take it for granted that after Ogilvie "mentioned the degeneracy of other kingdoms," *he* also *turned to Scotland* "with swimming eyes". His soul and the soul of Burns harmonized regarding "that hallowed turf"; and can we doubt that an inward voice said to him, "Disturb not ye the hero's sleep"? As a fact, he did obey a voice of that kind. Burns drew his inspiration from facts. We shall see that his picture of Scotland as the *grave of Freedom* is by no means a fancy sketch.

Thomas Muir, Younger of Huntershill, a member of the Scottish Bar, but better known as the "Political

Martyr of 1793," was on the 30th August of that year tried before the High Court at Edinburgh, for the *crime* of having attended one or two public meetings in connection with the extension of the franchise, *which was then strictly limited to landlords*. For this heinous *crime* he was sentenced to fourteen years' transportation—to *death*, it may be said, for the sentence directly led to a premature grave. The trial was conducted in the most insulting way possible, not to speak of the treasonable manner in which a landlord judge and jury (a servile Bar aiding and abetting) trampled the British Constitution under foot. As for justice, there was not even the *form* of it observed. The jury was a packed one. It consisted of nine landlords, one bookseller, two bankers, and three Edinburgh merchants; and when one of these merchants (Mr. John Horner) was passing the bench to get into the box, Lord Braxfield, in a whisper, addressed him thus: "Come awa, Maister Horner, come awa, and help us to hang ane o' thae damned scoundrels". The same judge was in the habit of saying, when any legal difficulty occurred in framing libels against such *criminals* as Thomas Muir, William Ogilvie, or Robert Burns: "Let them bring me prisoners and I'll find them law".

What a farce to sing *Scots wha hae* or *Rule Britannia* in a country whose people would suffer the insolence of an unhangd Braxfield for twenty-four hours.

I should have preferred not to soil these pages with the name of Braxfield, but as I believe he betrayed his knowledge of Ogilvie's book, by making the worst possible use of it at Muir's trial, I am disposed to return good for evil by doing his Lordship the honour of giving a quotation from his speech on that occasion, and

placing it alongside Ogilvie as a first-rate argument in favour of the SINGLE TAX.*

BRAXFIELD.

"A government in every country should be just like a corporation, and in this country it is made up of THE LANDED INTEREST, WHICH ALONE HAS A RIGHT TO BE REPRESENTED. AS FOR THE RABBLE, WHO HAVE NOTHING BUT PERSONAL PROPERTY, WHAT HOLD HAS THE NATION OF THEM? WHAT SECURITY FOR THE PAYMENT OF THEIR TAXES? THEY MAY PACK UP ALL THEIR PROPERTY ON THEIR BACKS AND LEAVE THE COUNTRY IN THE TWINKLING OF AN EYE, BUT LANDED PROPERTY CANNOT BE REMOVED."—*The Martyrs of Reform in Scotland*, by A. H. MILLER.

OGILVIE.

"It is indeed *the landed property of the nation that is ultimately and solely engaged for all national debts; every other species of property may be concealed, transferred, or withdrawn, when the demand for payment is apprehended.* It is therefore to be wished, for the security of public credit . . . that property in land were exceedingly divided; so that every person had a share. . . . It becomes even the interest of the great landholders, that such a distribution of property in land should take place. . . . *So that every member (of society) may be rendered responsible for the public debt*" (p. 75).

* The argument is also most relevant in respect to the *National Debt*. It is now the *rabble's* turn to say: "What hold has the nation of us?" Nay, more, they stand as *first* and preferable Bondholders as regards all interest already advanced by them on behalf of the *Nation*, on the security of "landed property" which "cannot be removed". This applies to all Britain. With regard to Irish land it should be made liable for the wages, clothes, weapons, ammunition, &c., required by 14,000 *Peons*, together with the extra expense of *Regular* Military force for rent collecting and eviction purposes, over and above a share of the *National Debt*.

"When mention is made in political reasonings of the interest of any nation" (says Ogilvie, p. 33), "and those circumstances by which it is supposed to be injured or promoted are canvassed, it is generally the interest of the landholders that is kept in view." How true! And ought we not to thank Braxfield for giving us such a confirmation and admission of the truth stated by Ogilvie? Braxfield *played the villain* so well that the dullest *among the gods* cannot now fail to understand the *Play of Landlordism*.

It is interesting to note that Burns wrote his Revolution song, "Scots! wha hae wi' Wallace bled," in September, 1793, immediately after the sentence of Thomas Muir. On the 30th of the same month he presented to the Subscription Library of Dumfries a copy of *De Lolme on the British Constitution*, on which he inscribed the following words: "Mr. Burns presents this book to the Library, and begs they will take it as a creed of British Liberty, until they find a better.—R. B." The significance of this present at the time he composed "Scots! wha hae," and when Thomas Muir and other worthy "sons" were in "chains," will be clearly understood from the following passage which DE LOLME quotes, in Chapter XIV. of his book, from Blackstone's Commentaries on the Law of England (Book I., Cap. I.), in reference to the lawfulness of Revolution, whenever the rights of the people are trampled upon.

Blackstone says:—

"And lastly, to vindicate those rights, when actually violated or attacked, the subjects of England are entitled, in the first place, to the regular administration and free course of justice in the courts of law; next, to the right of petitioning the King and Parliament for redress

of grievances; and lastly, TO THE RIGHT OF HAVING AND USING ARMS FOR SELF-PRESERVATION AND DEFENCE”.

These were the principles of the English Revolution settlement of 1688, and upon which the British Constitution was based. Considering the very complete knowledge of the *legal* rights of British citizens, that Burns possessed through his study of De Lolme's admirable book, and his own very keen sense of man's natural rights, together with his extreme abhorrence at all forms of injustice, and especially when such injustice is perpetrated in the name of LAW AND ORDER, we need not waste much time in speculating as to how he felt on hearing the result of Thomas Muir's trial. It is enough to say that he there and then composed a war song for Scotland—a *Marseillaise*!

He himself has not left us in any doubt. Here are his words:—

“I showed the air (‘Hey tuttie taitie’) to Urbani,* who was highly pleased with it, and begged me to make soft verses to it; but I had no idea of giving myself any trouble on the subject till the accidental recollection of that glorious struggle for freedom, associated with the glowing ideas of some other struggles of the same nature, *not quite so ancient*, roused my rhyming mania”.† Mark

* Pietro Urbani, an Italian musician, who met Burns at St. Mary's Isle, the seat of Lord Selkirk, on 31st July, 1793, the day before Burns's ride with Mr. Syme “in the middle of tempests over the wildest Galloway moor,” when “Scots wha hae” was *thought*, through the suppression of the correct date, to have been composed.

† Letter, sending “Scots wha hae,” to Mr. Thomson, dated “September, 1793,” received in Edinburgh on the 3rd or 4th, and replied to on the 5th. Referring to the old air “Hey, tuttie, taitie,” Burns says, “There is a tradition, which I have met with in many places in

the words, *not quite so ancient*, which Burns himself puts in italics. Then let us ask ourselves whether this soul-stirring Ode was not a real cry to arms against Braxfield and Company? Let us look at the Ode itself and the short prayer to God with which it concludes, and ask ourselves whether Burns had the English Edward or the Scotch landlords in his mind's eye at the time he wrote it, and let us not forget that he thoroughly approved of adopting the *English* Constitution in Scotland, and that he by no means wished to revive old national feuds.

“By Oppression’s woes and pains!
 By your Sons in servile chains!
 We will drain our dearest veins,
 But they *shall* be free!
 Lay the proud Usurpers low!
 Tyrants fall in every foe!
 LIBERTY’S in every blow!—
 Let us Do—or Die!!!”

“So may God ever defend the cause of Truth and
 Liberty as He did that day! Amen!—R. B.”

Here we have Burns at bay. There were then only 2652 Parliamentary voters in Scotland.* This number

Scotland—that it was Robert Bruce’s march at the battle of Bannockburn, This thought, *in my yesternight’s evening walk*, warmed me to a pitch of enthusiasm on the theme of liberty and independence, which I threw into a kind of Scottish ode fitted to the air, that one might suppose to be the gallant royal Scot’s address to his heroic followers on that eventful morning.” The words “my yesternight’s evening walk,” were changed by Dr. Currie into “my solitary wanderings,” and this error was not discovered until shortly before Mr. Robert Chambers of Edinburgh published his edition of Burns’s works in 1857. Dr. Currie’s edition was published specially for behoof of Burns’s widow and children, and many

* These were the NATION *à la* Braxfield!

included all the landed gentry and their faggots. These were undoubtedly the "proud usurpers" who caused the "oppressions, woes, and pains," referred to by our patriot bard.

We must not forget another circumstance. When Thomas Muir was apprehended on 2nd January, 1793, Burns was at that very time being court-marshalled by the Board of Excise for a similar *crime*! On 5th January, in a letter to his friend Mrs. Dunlop, he says: "The political blast that threatened my welfare is overblown". On the same day he writes to Mr. Graham of Fintry, who was mainly instrumental in shielding him from that "blast," making the solemn promise—"henceforth I seal my lips".

What happened in the interval between the 5th of January and September, 1793, the reader already knows. He also knows that Burns broke his vow. The soul of Burns could not be caged. The theme of LIBERTY was a part of it, and death only could

things were suppressed through fear of being boycotted by the "classes". It will be seen that the news of the brutal sentence passed on Thomas Muir would reach Dumfries, in those days, on 31st August or 1st September, 1793. The "yesternight's evening walk" which produced "Scots wha hae" must have been on Sunday the 1st or Monday the 2nd, and Burns must have despatched it on the 2nd or 3rd, more probably the 2nd, as Mr Thomson says he read it to some friends in *Edinburgh* on the 4th.

Mr. Thomson wanted Burns to alter this ode, but Burns refused. He writes on 15th September, in reply to Mr. Thomson, stating that the proposed alterations would "make it tame". "I have (he said) scrutinised it over and over; and to the world, some way or other, it shall go as it is." The world's verdict is in favour of the poet. "So long (says Carlyle) as there is warm blood in the heart of Scotchman or man, it will move in fierce thrills under this war ode; the best we believe that was ever written by any pen."

close those lips. He was not a coward. The man who wrote—

“Wha will be a traitor knave ?
Wha can fill a coward's grave ?
Wha sae base as be a slave ?
Let him turn and flee ! ”

in September, 1793, *meant what he said*. He meant Revolution. We must not go about the bush in stating this. To do so would imply a cowardly slander on Burns. Alas ! Caledonia—

“Where is *thy* soul of freedom fled ? ”

For nine weary months Burns waits in vain for a response to his song of war : Scotland was no longer *the land of the free*. To the eye of Burns it was now the very burying ground of Liberty. The great soul of the poet is then borne away on its own soliloquy :—

“Swiftly seek, on clanging wings,
Other lakes and other springs ;
And the foe you cannot brave,
Scorn at least to be its slave.”

TO HIS COUNTRYMEN HE BIDS THIS FAREWELL :—

“Avaunt ! thou caitiff servile, base,
That tremblest at a despot's nod,
Yet, crouching under the iron rod,
Canst laud the arm that struck the insulting blow !
Art thou of Man's imperial line ?
Dost boast that countenance divine ?
Each skulking feature answers, No ! ”

AND HE HAILS THE AMERICANS THUS :—

“But come, ye sons of Liberty,
Columbia's offspring, brave as free,
In danger's hour still flaming in the van,
Ye know, and dare maintain, the ROYALTY OF MAN ! ”

These lines are quoted from the Ode to LIBERTY already referred to, a stanza of which was sent by the poet to

Mrs. Dunlop in June, 1794. The remainder was *immuiRED* until 1872 (!), when Mr. Robert Clarke of Cincinnati purchased the original MS. in London, and to him the world is indebted for its first publication. This Ode forms a key to the real intention, feeling, and purpose of "Scots! wha hae". They should be read together. And if the reader wants to see further into the soul of Burns, in regard to the theme of LIBERTY, from and after September, 1793, he will find Scotland dealt with precisely as in Ogilvie's book. His "TREE OF LIBERTY," composed in 1794 (but boycotted until 1838),* ends with these lines:—

" Syne let us pray, AULD ENGLAND may
Sure plant this far-famed tree, man;
And blythe we'll sing, and hail the day
That gave us LIBERTY, man".

And in the eighty-four preceding lines, the word "Britain" occurs twice, while, *as in Ogilvie's book*, Scotland is *conspicuous by its absence!* But this is not all,—precisely like Ogilvie, *he draws the line sharp and clear*, thus:—

" But seek the forest round and round,
And soon 'twill be agreed, man,
That sic a tree can not be found
'Twixt London and the Tweed, man".

* This and other Odes by Burns expressing similar sentiments are still boycotted. W. Scott Douglas and A. Cunningham found fault with Robert Chambers for publishing such Odes. Robert Chambers himself says, that—" *Is there for honest poverty*" embodies "all the false philosophy of Burns' time, and of his own mind". These cringing editors have done much injustice to the "honest fame" of Burns. They should have seen themselves *as others see them*, in the Poet's letter of 13th April, 1793, to Erskine of Mar, where he says—"I have often, in blasting anticipation, listened to some hackney scribbler, with the heavy malice of savage stupidity, exulting in his hireling paragraphs". These editors knew about the real date of "Scots! wha hae," as far back as 1839.

In the next verse a painful view of Scotland appears *between the lines* :—

“Without this tree, alake this life
Is but a vale o’ woe, man ;
A scene o’ sorrow mixed wi’ strife,
Nae real joys WE know, man.
WE labour soon, WE labour late,
To feed the titled knave, man ;
And a’ the comfort WE’RE to get
Is that ayont the grave, man.”

In the year 1795 the lessons of the French Revolution were beginning to make some headway in Scotland. An invasion was imminent. The NATION then evidently saw that although “*landed property cannot be removed*,” the *removal* of the landlords presented very little difficulty. What a pity the “rabble” did not see eye to eye with the “NATION” at that time! The rabble were then invoked to defend their king and country. Mark the words “*their country*”. *Volunteer* (?) corps were formed in many districts in Scotland, Dumfries included. Burns *had* to join, and was forced to incur a deathbed debt in buying a uniform. In a ballad headed “The Dumfries Volunteers,” composed in 1795, Scotland is again conspicuous by its absence :—

“Oh, let us not like snarling curs
In wrangling be divided,
Till, slap, come in an unco loon,
And wi’ a rung decide it.
Be Britain still to Britain true,
Amang oursel’s united ;
For never but by British hands
Maun British wrangs be righted.”

These lines also form a key to “Scots! wha hae”. Numerous keys can be had. Take, for instance, the

following lines written by him in 1794 in a lady's pocket-book :—

“ Grant me, indulgent Heaven, that I may live
To see the miscreants feel the pains they give :
Deal Freedom's sacred treasures free as air,
Till slave and despot be but things that were ”.

These, it is obvious, were *living* miscreants, not the followers of “ Proud Edward,” and it is to them, *and them alone*, that he refers in September, 1793, when he uses the words :—

“ Lay the proud usurpers low !
Tyrants fall in every foe !
Liberty's in every blow !
Let us Do—or Die !!! ”

Burns, like Ogilvie, was a philosophical admirer of English freedom as well as an ardent believer in the Revolution principles of 1688. He was not the man to revive Border feuds. The reference to Wallace and Bruce in “ Scots! wha hae,” doubtless was intended to rouse and stir up the “*rabble*” of 1793. The “woes and pains” and “servile chains” have nothing to do with England or “Proud Edward”. Burns was thoroughly loyal to the *British Constitution* : at a volunteer festive gathering in 1795, when asked to give a toast, the following are the concluding lines of it :—

“ And here's the grand fabric, our FREE CONSTITUTION,
As built on the base of the GREAT REVOLUTION ;
And longer with politics not to be crammed,
Be anarchy cursed, and be tyranny damned ;
And who would to LIBERTY e'er prove disloyal,
May his son be a hangman, and he his first trial ! ”

These are brave words ; and we can almost see not only

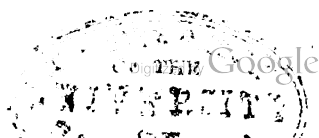
the Dumfries *gentry*,* but also the Edinburgh *gentry*, "Old Braxy" included, cringing under the truth, justice, and heroism which inspired the soul of the author of "Scots! wha hae". In a country under tyrannical rule, as Scotland was then, it was only natural that about one half of the people should be Government spies and the other half cowards. Burns, although he was an excise-man at £50 a year, and only £35 when off duty on account of ill-health, was not a spy. Various attempts were made to coerce him to join the other *party*; and his *faith* was often put to the test in connection with "Loyal" toasts. On such occasions he took the opportunity of trampling on the maggots and flies which were then changing the British Constitution into a veritable mass of corruption. These parasites gloried in toasting "*King and Country!*" *Their Country!* and *their King!* Yet they expected the "rabble" not only to respond to such toasts, but, when any battles had to be fought *on behalf of the* "NATION," the "rabble" were expected to do this also. Nay, the "rabble" were, as a rule, coerced to fight the "NATION'S" battles. In the West Highlands, men were hunted, caught, and,

* "There is reason to believe that, in his latter years, the Dumfries Aristocracy had partly withdrawn themselves from Burns, as from a tainted person. That painful class, stationed, in all provincial cities, behind the outmost breast-work of gentility, there to stand siege, and do battle against the intrusions of grocerdom and grazierdom, had actually seen dishonour in the society of Burns and branded him with their veto, had, as we vulgarly say, *cut him!* Alas! when we think that Burns now sleeps 'where bitter indignation can no longer lacerate his heart,' and that those fair dames and frizzled gentlemen already lie at his side,—where the breast-work of gentility is quite thrown down,—who would not sigh over the thin delusions and foolish toys that divide heart from heart, and make man unmerciful to his brother!"—*Thomas Carlyle*, 1828.

if they refused to be sworn in, they were bound hand and foot, and thrown into a dungeon in the laird's house. They were dragged out of this dungeon once a day, and the soles of their feet, after being first rubbed with grease, were held up to a roasting fire. This repeated ordeal, as a rule, led to all the swearing-in required even in the making of a dragoon. In the Eastern Highlands (Aberdeenshire), "hanging by the heels" was sometimes resorted to as a preliminary to swearing-in.

Auld Willie MacPherson of Loch Kinnord, an octogenarian, who died a few years ago, used to tell of a widow's only son, who was murdered by the laird in that way. An eye-witness had described to him "what a terrible thing it was to see the poor fellow hanging by the feet, and the blood pouring out of his nose, eyes, and ears". This sight was, doubtless, *intended* to be a "terrible" one. Yes, to serfs and cowards. But to any human beings worthily called *men* or *women*, such a sight would be *revolting*, and we may assume that atrocious spectacles of that kind are possible only in countries where the inhabitants are brutalized by tyranny, and the human soul is steeped in the ignorance and superstition of priestcraft. We may safely conjecture that the parish clergyman dined with the laird the same day the murder was committed, and that he afterwards visited the sonless widow, and lectured her from *The Larger Catechism* "as to the great sin her foolish and wicked son had committed in rebelling against God's authority, of which the laird was only the instrument".

Burns and Ogilvie could not possibly be anything else than Revolutionists. They were not, however, tried before an Edinburgh jury; neither was Moses tried



before an Egyptian Braxfield. Poor Thomas Muir did not grasp the nettle firmly enough. He was only a Reformer, and, being somewhat lamb-like in his ways, he was considered a tender morsel by the "hounds which growl in the Kennel of Justice," as Burns describes the Scotch Executive of *Law and Order* of his time.

Thomas Muir wanted to extend the franchise—to give people a *paper* vote—a phantom reform—which, compared with Ogilvie's scheme, may be described as a system of political tinkering, giving rise to disappointment on the one hand, and dissatisfaction with increased discontentment on the other. Ogilvie's equal-share-in-the-land would carry with it, as the law of representation then stood, not only manhood suffrage, but womanhood suffrage also. And why not? Take any man or woman, and ask yourself, why either the one or the other should be denied the right (so long as such right is not forfeited by some misconduct or crime) of being represented in the Council of the nation, in regard to the ruling of the country, the making, altering, or repealing of its laws?

If A. makes a law, and coerces B. to keep it, B. stands in the relation of slave to A. It is equally true that if A. owns the land, and B. has to go to A. "seeking work," or must "beg for leave to toil," B. is the slave of A. We thus see the double relationship of master and slave which existed between the landholder and the people in Ogilvie's time—always keeping in view that the landholder was also the *sole* legislator.

Ogilvie's single and simple remedy was quite ample for sweeping away the double and compound evils of modern landlordism, and we now see what a wise and

practical radical reformer he was. But how sad to think, that we, in the British Isles, who boast so much of our civilization, are still kept in ignorance of those elementary truths regarding our natural rights. *Yes, kept!* It seems to be the special duty of those who "fatten on the wages of servility" to keep the people as ignorant as possible. And until recently any "*agitator*" who dared to instruct his fellow-men, in regard to their rights, was held guilty of high treason and sedition. This, by the way, is still a crime, not only in Ireland, but also in England and Scotland. Have we not lately witnessed the degradation of these so-called "free countries" by the arrest of Irish refugees on British soil. These things act as a spur to the slow but sure Revolution now going on in Ireland, and partly in Scotland; and no one can wisely grudge a *little spurring*. The BRITISH CONSTITUTION is no longer "the glory of Britons and the envy of foreign nations," as our parochial essayists used to tell us. Even England—"merry England"—the "home of freedom"—is not now so merry or so free as she once was; but it requires no prophet to foresee that her time of wakening up, and reverting to the Revolution principles of 1688 as a basis of restoring the Rights of her People, and the happiness of their homes, cannot be far distant.

The England of 1688, and even the England of 1781, was held up by Ogilvie as head and shoulders above all other countries "under the sun," in regard to Liberty and Humanity; and he pointed to the pre-eminence and power of the English nation as the direct fruit of such Liberty and Humanity. In his time, all Europe, including the enlightened French and the bold Prussians, tolerated that form of human slavery called serfdom.

The GREAT FREDERICK, referred to by Ogilvie as a *capable* land law reformer, was, after all, only a king of serfs.

The law of England, Ogilvie tells us, was derived from the "same absurd and pernicious principles of jurisprudence" that permitted serfdom on the Continent of Europe; "yet," says he, "such has been the generosity of English landholders, such their equitable conduct towards their tenants and dependants, and such the manly spirit of the lower classes, fostered by a sense of political rights, that in England the comfortable independence of the farmer and actual cultivator of the soil, is established on as secure a footing as the most refined system of property in land deduced from the genuine principles of public good and natural right can propose to render effectual and permanent". The just claims of the "lower ranks of mankind" are not forgotten, as in the case of recent Irish and Scotch land legislation. He says: "It is to be regretted only that this comfortable independence which the farmers enjoy cannot be extended to a still greater proportion of the community".

He stirs up the Continent, and also Ireland and Scotland, to cast off serfdom, and points to the national blessings which followed its abolition in England: "English landholders and English farmers are superior in all respects to the same class of men in other countries: in their manly vigour, their plain good sense, their humane virtues, consists the true basis of our national pre-eminence. Their blood circulates in every rank of society; their domestic manners have given the tone to the English character as displayed in all the various departments of business and enterprize; nor can any wish be formed more favourable to the prosperity of the

public, than that the numbers of this class of men may be increased."

But he is by no means fully satisfied with the position of the English tenant. He gives a quiet slap to the English aristocratic form of government—a government of landlords—which makes Land Law Reform more impossible than the absolute despotism of the notorious Pharaoh. This is what he says: "To increase the number of landholders, by advancing farmers to that more independent situation, CAN NEVER BE MADE THE OBJECT OF LEGISLATIVE CARE IN THIS COUNTRY, AS IT MIGHT IN THE ABSOLUTE MONARCHIES OF THE CONTINENT; but to increase the number of farmers, by favouring the advancement of day labourers and manufacturers to the more animating and manly occupation of cultivating a small farm for their own account, is an object very similar to many branches of enlightened policy which the British Legislature (more than any other) has pursued with attention and success".

These words were penned by Ogilvie in the year 1781. "Many things have happened since then!" Serfdom has been abolished in France, in Prussia, and also in Russia. The natural result followed. These countries have risen in pre-eminence and power corresponding to the scale of freedom and justice which they respectively adopted.

WHERE STANDS ENGLAND NOW?

Consider the hundreds of thousands—the millions!—of Englishmen and Englishwomen who are expatriated from the soil, who are starving and worse off than the slaves and savages of ancient times. In this *Christian* country we require 11,000 policemen in London alone, with a large military force *in reserve*.

Compare the condition of her peasantry in former times, when the farmer and the labourer dined together every Sunday, with the present sad condition of the English rustic *coolie*, with starvation wages of 12s. per week ; 1s. 6d. of which he requires for house rent, and 10s. 6d. is all he has to provide food and clothing for himself, wife, and family. His life is a slow but sure march to the workhouse and a beggar's grave!

Let us now look at the contents of a small but interesting MS.—*interesting to the reader of* THE RIGHT OF PROPERTY IN LAND. It is unsigned, but it is undoubtedly in the handwriting of Professor Ogilvie :—

“PITTENSEAR, September 12th, 1776.

“It seems highly probable that this distemper, whatever be its nature, will remove me from the present scene.

“I ought surely to depart without reluctance and repining, having abundant reason to return thanks for that portion of life and that measure of good which I have already enjoyed, which seems to have exceeded, at least in tranquillity and contentment, the common standard of what is allowed to man. I have only to implore that some time may be allowed for the settlement of the affairs I leave behind me, and, if possible, to reduce into some form a synopsis at least of those contemplations and schemes which have occurred at various times to my mind, as of importance to the general welfare of mankind and the improvement of their present state.

“It ought to be my care to apply with assiduity whatever time is given to these respective purposes, but without anxiety or repining, because both these must necessarily be left very incomplete ; to turn away my thoughts from all that is probable to take place in my affairs

when I am here no more, except so far as may be useful in suggesting useful direction to my nearest friends to be left them in writing, but without subjection to any positive commands. May it please that Sovereign Power, from whom I have received so many good gifts, to grant me now *εὐθανασία* an easy and tranquil dismissal from this mortal stage, or, if that may not be, at least may He vouchsafe that amid the pain and agonies through which I am to pass my patience may be sustained and the use of my reasoning powers remain undisturbed to the last parting pang."

Pittensear, the reader already knows, was Professor Ogilvie's ancestral home. The date suggests many digressions which must be brushed aside. But one or two may be glanced at. The 4th of July, 1776, had just given birth to the great American Republic,* and the news of the event was creating some stir in the Mother Country. The domineering British landlords—the NATION!—were busy *enlisting* the sons of the British "rabble"—

"To cowe the rebel generation,
And save the *honour* o' the NATION!"

The ignorant "rabble" *enlisted* and agreed to cut the throats of their cousins in America. It was *Law and Order*, and they are sworn by all that's holy to fight *for their King and Country!* But in reality they fought for the purpose of coercing the Americans to pay a tax upon tea, imposed by British landlords, to enable themselves to pocket more of the rents earned by the cultivators of British soil.

* See Section 60 of the "Synopsis".

" Safe in their barns, these Sabine tillers sent
 Their brethren out to battle—why?—for rent !
 Year after year they voted cent. per cent.,
 Blood, sweat, and tear-wrung millions—why?—for rent !
 They roar'd, they dined, they drank, they swore they meant
 To die for England—why then live?—for rent ! "

From the year 1770 to 1782, the British landlords increased the NATIONAL Debt £100,000,000 !

" And will THEY not repay the treasures lent ?—
 No: down with everything and up with rent ! "

The American War was begun and continued by the British landlords, a Puppet-King, and the usual " Law and Order " *tail* of political parasites which then, as now, consisted of lawyers, clergymen, and the scum of the pothouse. The jingoes existed then, although their natural history was somewhat neglected until Lord Beaconsfield's time.

" For little fleas have lesser fleas
 Upon their backs to bite 'em !
 And these fleas have lesser fleas,
 And so—*ad infinitum* ! "

A very clear idea may be formed of Ogilvie's character, as a far-seeing practical politician, by reading sections 34, 41, 47, 57, and 74 of his book, where he refers to the advantages of American freedom as compared with European serfdom and oppression. And it is worthy of notice that he warned the Americans against adopting the *Feudal System* of European landlordism.

It is quite plain that the *Wealth of Nations* (published in 1776) did not come up to Ogilvie's expectations *in regard to property in land*. There is no doubt Adam Smith was boycotted by the *Law and Order* of those times, and coerced to modify and delete whole chapters

referring to the landlords, as being seditious and unfit for publication. Ogilvie, as we have seen, had regard to a higher "power" than the *Law and Order* of a set of petty tyrants, when he formed his resolution to publish his "contemplations and schemes". His book is a monument of truth, wisdom, and courage. His magnanimity was unbounded; his heart overflowed with love and genuine sympathy towards mankind. Like Moses, he set himself to free an enslaved people: enslaved, because ignorant of their natural rights; powerless, because wanting the source of all power—knowledge. Like Moses, he advises mankind to take their stand, *upon the earth*, by practically adopting the *First Commandment*—Thou shalt have no other gods, dukes, earls, lords, landlords, or other land-grabbers, coming between you and the Creator of the earth, as regards the birth-right of every human creature. He regarded not the alleged heavenly rights of earthly kings or their vassals. The golden calf of commercial landlordism he detested even more than all the superstitious kingcraft and priestcraft of ancient Egypt.

It is evident that *The Right of Property in Land* was the great aim of his life. Nay, more, we can see that it came forth from his soul as the fulfilment of a sacred undertaking with "that Sovereign Power, from whom," he acknowledges with overwhelming gratitude, he "received so many good gifts". He was then in his fortieth year. His health had utterly broken down through over-study and sedentary habits.* He recovered his health, and lived for upwards of forty-two years after this. He, however, did not allow much

* Letter from his friend and colleague, John Ross, Professor of Oriental Languages.

time to pass before he *reduced* "into form those contemplations and schemes which *had* occurred at various times to *his* mind as of importance to the general welfare of mankind and the improvement of their present state". The receipt for the cost of printing "*The Right of Property in Land . . . and The Regulations by which it might be rendered more beneficial to the lower Ranks of Mankind,*" is dated 25th August, 1781. The title page of the reprint now issued, bearing the date "1782," is a *facsimile* of the original publication.

It is interesting to consider the MS. and the "synopsis" to which it undoubtedly refers. From the title page we can go to the *Introduction*, and there we find more of the *Pittensear schemes* "gradually unfolded". These schemes, it is of some importance to note, are the result of the author's "*own opinions, thinking freely and for himself*". He tells us that "the leading principles of that system, which he now holds, respecting property in land have been *coeval in his mind with the free exercise of his thoughts in speculative inquiries*; they have recurred often, they have been gradually unfolded, and for some years past he has been accustomed to review them frequently, almost in their present form, with still increasing approbation".

Here we have a candid and straightforward author whose opinions, he himself tells us, are *new*. "All that he would request in their favour (and the candid will readily grant this) is, that they may not be rejected on a first disgust, and that those who cannot adopt the opinions here advanced *may at least bestow some pains in ascertaining their own !*"

There is a gentle touch of humane irony in these

concluding words which is characteristic of the author. Other *gentle touches* will be met with throughout the work, but they are sometimes so very gentle that it is even possible to misapply them, as in the case of the words, "The poor you have always with you". For example, how seldom these words are interpreted thus : *Where there is priestcraft there is always poverty* ; or thus : *Priestcraft and poverty always go together* ; or even thus : "The poor *you* have always with you . . .".

In the year 1786 Professor Ogilvie took the lead in an attempt to reform the system of higher education in the North of Scotland. "There were then two Universities in Aberdeen, and there were also," it used to be ludicrously remarked, "two in England!" King's College, founded by Bishop Elphinstone, was sanctioned by a Papal Bull dated 10th February, 1494. Marischal College was founded by George, fifth Earl Marischal, by charter dated 2nd April, 1593.

The older seminary regarded her younger sister as a new danger, which might possibly disturb the *ancient foundations of Learning* ! An unhealthy rivalry was developed, from which both colleges suffered ; but King's College, which had closed its gates against all *innovations*, was the greater sufferer. In Professor Ogilvie's time it was much afflicted with the evils of a supposed state of perfection. Whenever such a *state* is reached, in the case of any institution, it is an undoubted sign that a very radical change is urgently wanted. Nothing, for example, could have surpassed in *perfection* the system of graduation which the Masters of King's College carried on in Ogilvie's time. Three days before the examination day, the questions, *and also the answers thereto*, were dictated by the Masters to the students.

This scientific mode of incubation, together with *the laying on of hands* and the incantation of the "graduation oath," could scarcely fail to bring forth a fully-fledged M.A. from almost every egg in the academic nest. The Professors had so little to do in those days that it was perhaps found expedient to have such a *gavelkind* system of distributing University honours as a sort of make-show. In the year 1770 the number of students in Marischal College was "near 120, and not above half that number at the King's". This was equal to an average of six pupils for each of the ten Masters of King's College, or, more correctly, eight or nine of a class for each teaching Master, when we leave out the three *sinecurists* who were "never known to teach a class".

But Professor Ogilvie had other evils to put up with as a member of King's College. His colleagues not only alienated some of the lands belonging to the College, but they misapplied and "misappropriated" College funds. They also disposed of the patronage of no less than fifteen churches, and, worse still, the right of presentation to twenty bursaries. The great landlords were the purchasers of these *saleable commodities*, and in this way they became the private owners of rights *and duties* which, until then, were held by the Professors *in trust* for the public. The money received for Church patronage has been accounted for, but the price of the other articles of commerce was appropriated by the Masters as their own private property. It became "money in their purse"!

The Masters who were guilty of these "dilapidations" probably acted under a mistaken notion in regard to their position. Ogilvie himself tells us that some of

them were well known for the "liberality of their general sentiments". They doubtless believed that, *by law*, they were the private owners of the University and all its belongings, in the same way as some landlords now believe that the land is theirs, and as some feudal monarchs believed in days gone by that they were the private owners of *all they surveyed!* Whereas the highest right that even a despotic monarch can have is only a fiduciary right—a right which involves guardianship of the people's property, as Ogilvie points out: "The common people, not having representatives in any legislative council, as under limited monarchs, the sovereign himself is in fact their representative, and cannot but perceive that he ought to be in a most particular manner the guardian of this helpless class of men" (p. 113). The Masters of King's College, like all other human beings who assume despotic rights and powers, thought it quite fair and proper to *exercise these rights and powers*; and in doing this they actually boasted of being the guardians of Liberty. What is to happen to rights and properties of all kinds, they would argue, if their most sacred rights as *Masters* are interfered with? They objected to be *tyrannized over* by the Sovereign, the Government, or the Legislature! They forgot that the Sovereign was the real as well as the *nominal* chief patron and head trustee of *King's College*. They, in their zeal for *liberty* for themselves, forgot that the University was instituted as the King's common highway to knowledge, for the special benefit of *all the* "inhabitants of the highland country and northern islands".* They, however, converted it into a private

* *Letter, King James IV. to the Pope in 1493.*

academy solely for the benefit of the sons of the "private gentry, the clergy, and the richer farmers". And notwithstanding that several bursaries were left by the good and pious Bishop Elphinstone, the founder, for the *free* education *and maintenance* of indigent scholars, the following advertisement used to be published annually in Ogilvie's time :—

"The Masters, being determined to admit none as candidates for the Bursaries but such as are above the lowest rank, and can appear in a decent way, both as to dress and behaviour, and have some reasonable prospect of money and friends to enable them to prosecute their education and bring them into some respectable profession in life, do give this public intimation of their resolution and desire—that such as intend to be candidates at the ensuing competition may bring proper certificates for this purpose, without which they will not be admitted to trial".

It is superfluous to mention that Professor Ogilvie was not a silent witness or a consenting party to such proceedings. He was now in his fiftieth year, and finding that he had protested in vain as a member of *Senatus* for the long period of twenty-two years, he resolved to carry his appeal to the bar of public opinion.

A paper which was printed and circulated at this time (1786), bearing the title "*OUTLINES OF A PLAN for Uniting the King's and Marischal Universities of Aberdeen, with a view to render the System of Education more complete,*" contains strong internal evidence that it came from Ogilvie's pen. It set forth: "That two independent Universities, endowed with the amplest privileges of teaching, and conferring degrees in all the sciences, should be seated within a mile of each other,

must appear at first view somewhat absurd. It is still more so that two sets of Professors should be employed in these Universities, in teaching the same elements of philosophy and of the Greek language to thin classes, while other branches of science, generally accounted necessary in academical education, are taught by no Professor in either." It proposed various improvements, and, among others, that all sinecures should be abolished. There were no less than three sinecurists at this time in King's College, viz., the Principal, the Professor of Law, and the Professor of Medicine. These were never known to teach a class, excepting in one instance, where a Principal, who had been found guilty of having forged a Charter and an Act of Parliament, and of having committed "dilapidations," or "peculations" rather, of College revenues, *was sentenced to lecture twice a week!* *

The plan further proposed "that the emoluments of the professors should arise chiefly from the fees of their classes, and so bear proportion to the assiduity they choose to exert, and the reputation they may acquire".

Special reference was made to a Botanic Garden, which was to be "provided as soon as may be".

It was also proposed to "make application to the Crown for an appointment of visitors, by whose interposition all unreasonable obstructions might be removed". The plan was written in Professor Ogilvie's most persuasive style; and he states in conclusion, with characteristic modesty, that it was "to be considered merely as an outline, to be filled up, corrected, and improved".

The whole of the Professors of Marischal College were

* Evidence before Royal Commission of 1826.

favourable to the scheme, but seven out of the ten Professors of King's College opposed it; and the reforms planned by Ogilvie in 1786 were not carried out until 1860; and even then not to the full extent. For example, one of the most felt "WANTS OF THE UNIVERSITY" of Aberdeen at the present time is a Botanic Garden.

Professor Ogilvie looked upon Universities as public institutions, and he considered that Professors were merely public servants as regards teaching, and Trustees for the public as regards endowments, buildings, libraries, &c. The Masters of King's College who obstructed the proposed University reforms held very different views from Ogilvie. They not only scorned the idea of being considered public servants, but they unblushingly claimed the University and its endowments as their own private property. And why not? The seven obstructionists (of whom *only* three were sinecurists!) doubtless believed that their position, as a whole, was more justifiable than that of the landholders, who, as a rule, are *all* sinecurists, but whose "pensions and salaries" are by *law* established (p. 33).

As soon as Ogilvie and his party published their scheme of Reform, the "*seven wise Masters*" of King's College (as they were called) published the following "advertisement" in the *Aberdeen Journal* newspaper:—

"THE Principal and six Professors of the King's College of Aberdeen, having learned that a petition has been for some time handed about, by direction of the members of the Marischal College, to be subscribed by the Noblemen and Gentlemen in this country, for procuring an Union of these two Colleges, find it necessary to give

this public notice, that the said petition has been framed and circulated without their knowledge, or any communication with them, they being still ignorant of its tenour ; that the first intimation they had of it was a very few days ago, that a single copy of a printed plan of the Union, to which they suppose the petition to refer, has been still more lately transmitted to them, long after it had been communicated to persons much less interested in it, a plan which they conceive to be in many respects *improper, impracticable, and attended with a very imperfect representation of facts relating to their conduct* ; that they cannot but consider this as an attempt to surprise persons to whom the petition is presented, into a subscription, on a representation by one party, or perhaps under an idea of its being agreeable to the sentiments of both Colleges ”.

In answer to this “ advertisement,” Professor Ogilvie wrote as follows :—

“ *Tuesday, July 25, 1786.*

“ PRINCIPAL CHALMERS having asserted, that six Professors of King’s College join with him in his advertisement of yesterday, without mentioning their names, I find it necessary for me to declare that I am not one of that number. I know that neither Professor Ross nor Dr. Dunbar can be included in it. There remain, therefore, just those six Professors, most of whose proceedings of late, in College affairs, it has not been in my power to approve.

“ In nothing have I ever differed from them more widely, than in that opinion they have just delivered concerning the Plan of Union so lately submitted to the public.

"They say, *it is improper*: to me, it appears highly beneficial ; in most of its parts unexceptionable, and far, very far, to be preferred to that comparatively selfish and illiberal plan, which the Principal, with four of his six Professors, are known to have supported very strenuously in 1755.

"They say, *it is impracticable*: I hold it to be very easily practicable, if only 'the parties having concern will lay aside their confined and interested views, and give way to a more general and public good'. I quote, with pleasure, the Principal's very pertinent expressions in the beginning of his Memorial, dated Feb. 5, 1755.

"These are certainly the only obstructions which have prevented the proposed Union from taking place. Time hath removed those prejudices, and confined views, which formerly prevailed ; but interested views may, perhaps, still remain.

"They add, *that the plan is accompanied with a very imperfect account of their conduct*. Agreed: many particulars of their conduct, relative to the Union both in 1770, and of late, have been omitted ; and others seem to be touched with a gentle hand ; probably, lest a more perfect account might give, to some of them, more vexation.

"The whole of this advertisement is calculated to convey an idea that the two Colleges are, on this occasion, entirely opposed to each other. This is not so: the Professors of Marischal College are, indeed, unanimously engaged, under the direction of their Chancellor and Rector, in endeavouring to promote this desired Union. But Principal Chalmers, with the six Professors who oppose it, are a Party only. They are not the University of King's College.

"WILLIAM OGILVIE."

It is right to explain that Professor Ogilvie did not rush hastily into this *Revolution*. He perhaps delayed it too long. Men as a rule do not improve by age in matters of reform. Perhaps he was waiting nature's usual plan of reform—namely, the removal of old fossils by the kindly hand of death. If so, the Fates were against him. He made his first move in 1764. In September, 1785, it was thought that all the obstructionists had been won over to the cause. It is on record* that at a joint meeting of the Professors of the two Colleges, it was proposed by one of the anti-Unionists that—"We should conclude the meeting like friends, with drinking a bumper to the Union; which was accordingly done". The reply,† made by Marischal College

* *Defence of the Conduct of Marischal College*. Published Oct., 1786.

† "July 31, 1786.—The Principal and all the Professors of Marischal College are sorry to be obliged in this public manner to take notice of an advertisement published in the last *Journal*, in the name of some Members of King's College, with whom they have ever been desirous to preserve the most perfect harmony.

"Those Gentlemen complain that an attempt for obtaining an Union of the two Colleges has lately been renewed, *without their knowledge or any communication with them*. But can it be reasonably thought either necessary or proper for the friends of the Union to consult about it with those persons who had absolutely refused to have any further communication with them on that subject, had declared their determined opposition to it, and who have since taken every measure in their power to defeat it?

"It is farther said, that the printed Plan was attended with a *very imperfect representation of facts relating to their conduct*. A minute detail was not intended. Nothing however was advanced that is not true, but many particulars were suppressed from motives which those present at the meeting in September last ought rather to respect than censure.

"Lastly, in regard to the unhandsome charge of endeavouring to obtain subscriptions *by surprise, or perhaps under the idea of its being agreeable to the sentiments of both Colleges*; the printed plan, above alluded to, with which the application was always accompanied, perfectly refutes this accusation."

to the *Advertisement* above referred to, clearly shows that Professor Ogilvie did not push his "Plan" of University Reform either rashly or prematurely. As to the justice and wisdom of the "Plan," there is no longer any doubt. It was a pure case of forlorn hope—a case of now or never—on his part.

The obstructionists followed up their *advertisement* by publishing two elaborate papers headed "MEMORIAL from the University and King's College of Aberdeen," and "INFORMATION from the Principal and Professors of the University and King's College of Aberdeen". These papers contained a conglomeration of distorted facts, and some assertions, which, if reversed (Ogilvie said), might be admitted as true.

In the replies made by the promoters of the proposed reform, there is no difficulty in recognizing the work of Ogilvie's pen. The writer advocates the appointment of a Professor of Agriculture. He *touches* the *Memorialists* "with a gentle hand". He tells them that the Professors of both Colleges are the servants and trustees of the public, and with regard to their objection to a visitation by a Royal Commission, he states:—"That one of the most frequent objects of Visitations is to overrule, and break the force of majorities established by cabal. Were such Visitations more frequent they would prevent mistakes into which gentlemen are apt to fall, by which they are led to speak of the endowments of a College, as of their family estate, and of the patronage annexed to offices, as of property, to be used *like money in their purse*."

The obstructionists maintained that they could deal with the lands and funds belonging to the College as *their own private property, and that they were entitled*

to do so in virtue of the Deed of the Founder. The reply to this, from which the following quotation is made, is evidently a *touch* from the same "gentle hand," viz. :—

"They assert, that *the rights of Colleges are as much secured by law as those of individuals* : no doubt they are equally secured ; but they are not the same. The individual has right to use or to abuse his property, as he thinks fit. If he does no positive injury to others, the public will not interfere : but a College has right only to employ its endowments for the public service, according to statutes and rules prescribed. If these endowments are diverted to private interests, or nominally employed in a remiss execution of the public trust, will not the Legislature interpose to rectify that abuse, to supply the defects of the earlier institution, and to accommodate the whole Plan to the more effectual service of the Public ?

"It may, perhaps, be admitted, that '*the public are not entitled to prescribe to a Founder, in what manner and degree he shall contribute to the public good, nor to alter his destination afterwards. They must accept his donations on his own terms, or reject them altogether*'. But the endowments of King's College are not to be accounted private donations. The original revenue and late acquisitions are, for most part, public property, granted by Kings and by Bishops, with the consent of Kings, and of their own chapters. The power of distributing that revenue, of appointing the Professors and others who were to receive it, of filling up vacancies, and making statutes concerning such matters, does not originate with any private Founder or donor, but was granted by

James IV. to Bishop Elphinston, and his successors in the See of Aberdeen; and, that office being now abolished by law, the power so conveyed must have reverted to the crown without diminution, and may be exercised at pleasure by the officers of state, or a special commission of Visitors.

“The members of any University are only tenants for life in endowments for public utility, which therefore are not their freehold. I hold the University itself to be the property of the public, and that they have a right to model it so as to answer the main design of the institution, and general utility.”

The reader will observe that this controversy between Professor Ogilvie and his colleagues took place four years after he finished *The Right of Property in Land*, and probably *after* the work had been suppressed—a circumstance which must have ruffled his temper. He was, however, exceedingly good natured, and was able to conduct the controversy with remarkable magnanimity. Like all true lovers of mankind, Ogilvie had a considerable share of wit and humour in his composition. And sometimes these qualities came near the surface, in the shape of a peculiar and kindly irony or sarcasm of the softest possible fibre, by which he was able to handle disagreeable truths in a straightforward manner without torturing his opponents. His aims were just, and his ways were benevolent. He used a sharp weapon, and could afford to deal gentle strokes. And his pathetic nature and most humane disposition accorded with the advice of old Izaak—to *handle the worm as if you loved it*, when putting it on the hook. The reader of *The Right of Property in Land* has, perhaps, noticed how

very gently—as if he loved them—Ogilvie puts the despotic monarch, the landholder, and the priest *on his hook*. He, however, *draws the line* at the commercial landholder, “who is of all citizens the most pernicious”.

The following five letters appeared at the time of this controversy (1786-87) in the *Aberdeen Journal*. They bear unmistakable marks of Professor Ogilvie's *gentle hand*: the one from “A MEMBER OF KING'S COLLEGE” admits of no doubt. They may be read as an autobiographical chapter, although unconsciously penned as such; and besides their interest in this way, no one can read them without being reminded of the sad ignorance which even now prevails among the masses in regard to Universities as *Public Institutions*. There is a corresponding want of public interest, which to a certain extent has developed into antagonism, as the direct offspring of such ignorance. All the Fees paid by King's College students in Ogilvie's time would not amount to two per cent. interest on the value of the University Buildings. This fact clearly proves that the *private gentry, the clergy, and the large farmers* got free education at this *public* seminary. We might say *fraudulent*, as well as free, because the fact that it *was* free is not known to more than one out of every ten thousand of the masses. The total amount of Fees paid by the students of King's College in 1812 was only £209 6s. There were then 156 attending the Arts' Classes. “Deducting the Graduation Fees,” says the *Evidence* before the Commission of 1826, “there remains less than £1 for the average Fee of each student.” (*Vol. III.*, p. 248; *Vol. IV.*, pp. 216, 222, 292.) These facts, in connection with the free education of the classes in the past, are of some interest in regard to the present and future free education of the

masses ; and the facts which the reader may glean from Professor Ogilvie's writings have not lost their interest yet :—

“SIR,—While the members of the Universities are adjusting their proposed Union, other gentlemen may not improperly consider how far the country at large has interest in these societies.

“In the Memorial from King's College, that community is said to be a more independent body than any other College or University in Scotland. This boast almost calls for an inquiry whether they do not possess more independence than is good for the real interest of a seminary of learning ; especially as this most independent College is not in other respects the most flourishing, and happens to be the least frequented by students of any in Scotland.

“It is my opinion, that they possess too much power in choosing their own members ; I do not say that they have abused it, but, in so narrow a society, such power must naturally tend to cabal, and this seemed the best reason alleged for parting with the patronage of kirks. Experience does not show that the best professors are to be chosen in this manner. The most eminent in Scotland have been presented by the crown, and by town-councils.

“I find also, on inquiry, that the Founder of King's College intended the country at large should partake in the power of electing the Professors in his College.—Four *Procuratores Nationum*, for Mar, Moray, Angus, and Lothian, ought to vote in all the principal elections along with an equal number, or only one more, of the permanent members of the College. These Procura-

tors, or Representatives, ought not to be chosen, as at present, on occasion of a vacancy, by the Professors who are to vote along with them, which is ridiculous mummery, but they ought to be annually elected according to the practice of the University of Paris, and by all the graduates of these provinces respectively.

“It need not be doubted, but Visitors, on a proper representation, would restore this provision to its original efficacy. A few regulations in point of form would be sufficient.

“Might not such a procurator be annually chosen by the Synods of Aberdeen, Moray, Angus, and Lothian? And might not the gentlemen who have taken degrees be permitted to vote along with the Clergy, in such election? Or, if the election is annually held within the College, might not the Graduates residing at a distance be allowed to vote by written billets transmitted in authentic form?

“The Professors of King’s College boast likewise in their Memorial, that they are much more amply endowed than the Marischal College. We might not readily infer this, from the apparent expenses of the two societies for public or literary purposes.

“But since the funds of King’s College are so ample, ought not their accounts to be submitted to the inspection of some persons without the society? Is there no provision in the Foundation which has this tendency? If there is, will not Visitors, in all probability, revive it? This seems to be one of those things which ‘the common sense of mankind’ will not deem a trifle’. Suppose that these accounts were annually laid before the Michaelmas Court, like other accounts of public money; or that Auditors chosen by that court had power to

examine these accounts, and to enter their remarks in the College-records, for the information of future Visitors;—I am in my heart convinced that this would promote the interest of the College itself, considered as a seat of Learning. It would prove a very moderate check to abuses, yet sufficient to keep the Professors in mind *that they are not proprietors of the College estate, but Trustees only for the public with the privilege of paying their own salaries in the first place. It is very natural that they should forget this, if the country does not keep them in mind by proper attention.* “D.”

“SIR,—The Resolutions of the Gentlemen of Invernesshire, relative to the Union of the two Colleges here, are entitled to much attention. I beg therefore that you will give them room, together with a few observations, suggested by perusing them.

“The meeting, it seems, was a general one of the Freeholders, Commissioners of Supply, Justices of the Peace, and other Gentlemen heritors of the County of Inverness: twenty-seven Gentlemen were present, of whom, twenty-three disapproved of the proposed plan.

“1st, Because, by the proposed Union, there will be a total stop put to emulation betwixt the two Universities, which they apprehend to be the best spur for promoting every establishment.

“This emulation at present produces no effect, either good or bad; that it ever can produce good effects is doubted: that it has produced bad effects is certain. Some of these are remembered, others are on record, and have given much trouble to Royal Visitors.

“The emulation of two neighbouring and Rival Colleges formerly subsisted at St. Andrews. Their Union

put an end to it, and since that time the University has become much more flourishing and useful than before.

“2nd, Because it would be of a very dangerous consequence, were the Legislature to make any essential alteration in the donations made to these Universities, or their franchises, as might prove a total check to such endowments in future.

“The Legislature will have no occasion to make essential alterations in the Donations made to these Colleges, but merely to ascertain and authorize that Plan by which they may be most beneficially applied to the purposes intended by the Donors. The franchise of these Communities will remain unimpaired, will become more valuable to themselves, and more useful to the Public, for whose sake it was originally granted.

“3rd, That as population is upon the increase in this part of the United Kingdom, it would be impolitic to clog the avenues to erudition, by making any alteration in these Colleges, which have flourished for so many years, when the several branches of learning were less an object of pursuit than in the present age.

“Instead of clogging or obstructing the Avenues to Erudition, the object of the Union is to open and clear them, and to provide for the Youth of this Northern country, the same opportunities of Education which Glasgow affords to the West.

“Many alterations have been made in the Colleges since their Institution, and all which have been made by the Legislature, or by Royal Visitors have proved beneficial: others made in a private manner, have frequently been corrected, and reformed by Visitation.

“4th, The meeting particularly disapprove of having classes in the same University at above a mile's distance from each other, as proposed by the said plan, because it frequently happens that young men, either from extraordinary capacities or limited fortunes, may find it expedient,

during the same session, to attend these separated classes. And the meeting are rather inclined to think that if one College was deemed sufficient for the town of Aberdeen, it would be more for the national good that the same should be fixed at Old Aberdeen, as possessing better air and better buildings than those of the Marischal College, and being at a greater distance from such amusements as are frequently apt to divert young men from a due attention to study.

“Much may be said, as to the preference of New or Old Aberdeen, for the seat of an University: the distance of a short mile will not keep young men from any amusements they wish to frequent, but may occasion more loss of time in resorting to them, and may expose them to more casual dissipation and irregularity.

“It is but a slight inconvenience for students, to attend one Class in the New-Town, and another in the Old Town, in the same day, should that become requisite. The Old Town students frequently attend private teachers in New Aberdeen at present. Even this slight inconvenience may be almost wholly obviated by a proper distribution of classes.

“And lastly, This meeting humbly apprehend that, in place of enlarging the salaries of the present Professors, or adding any unnecessary classes to any of these Colleges, which appears to be the principal object of the foresaid plan, that if it is thought expedient to annihilate one of them, it would be also proper to dispose of the buildings of the other, and to employ the price thereof and of any surplus, after bestowing proper salaries on the Professors of the remaining College, in establishing an academy in some central Royal Burgh in the Highlands, which would prove of very great national importance, especially if the present scheme of the fisheries succeeds.

“To enlarge the salaries of the present Professors is not the principal object of the Plan: neither is it proposed to add unnecessary Classes, but to establish such as are wanting in this University, and are known

to be very flourishing and very useful in the University of Glasgow, the model which it is proposed to adopt.

“Far less is it intended to annihilate either of these Colleges, but to combine their operations, in such manner as may render each more useful and more prosperous than in their separate state.

“If, in consequence of such combination, at present, or hereafter, by the operation of the accumulating fund, any surplus should arise, it might very fitly be employed (and very much according to the liberal intentions of the founders) in establishing an Academy, or Academies, at Inverness, or in other proper situations in the North: Such Academies being always considered as branches of the United University, and subject to its laws.—This suggestion, thrown out by these gentlemen, and treated ludicrously by some, is in itself, rational, and liberal; perhaps in some measure, practicable; at least, it is well entitled to consideration, in the farther progress of measures for accomplishing an Union.

“A.”

“SIR,—I trust the arguments suggested by the County and Presbytery of Inverness will prove decisive against the Union of the King’s and Marischal Colleges. Emulation is so necessary to the progress of literature, and division to emulation, that the argument is complete. As the public are much indebted to the honourable and learned gentlemen, who have made the discovery; I hope you will receive my mite in support of the same principle, and communicate to the public a few proposals for rendering it still more generally useful.

“1st. I would humbly propose that the Colleges of Edinburgh and Glasgow be divided each into two; for

in their present situation, they are destitute of the grand stimulus to a progress in literature, without which they never can expect to arrive at that eminence and high reputation which the Colleges of Aberdeen have already attained. As for the College of St. Andrews, the learned heads of that University must have a mixture of blockishness, with all deference be it said, to make a voluntary sacrifice of what was so essential to their credit and prosperity.

“2nd. Let all fit means continue to be used to sow dissension betwixt the Regents of the divided Colleges, so that they may entertain a cordial hatred for one another in private, and as opportunity offers, come to loggerheads in print. This will infallibly guard against that Union, contrived like the tricks of confederate Gladiators or Mountebanks, to chouse the public out of their money. It will likewise excite that spirit of emulation, which, together with interest, are the best motives for securing a due attention, in any Professor, and will give an opportunity of displaying such talents as cannot fail to collect a multitude of students from all quarters.

“3rd. Let the same prudent means be used to sow dissensions betwixt the students of the divided Colleges which the good example of their masters will very properly encourage. I am informed that some time ago, the students of the two Colleges in Aberdeen profited much by this spirit. But the degeneracy of these later times has much wore away that laudable emulation. In order to revive it, I would recommend to the students of King’s College to return to the good old practice of carrying stones in the sleeves of their gowns, for which they were originally contrived, and whenever one of

them accidentally meets a student of the Marischal College, he may by a genteel and careless swing of his sleeve hit the other a blow on the head, which he as a gentleman will resent, and collect his companions together for that purpose; from lesser skirmishes they may advance to greater, till the students of both Colleges join in regular pitched battles. Many are the advantages of this scheme; the spirit of emulation, which is the grand spur to a progress in Literature, will be once more brought to perfection by it. Besides that it will have a happy effect on the morals of the youth, being reared up in the practice of that cardinal virtue, *Fortitude*. As this nation at large will profit by it, when the seminaries of learning will produce the scholar, the man of virtue, and the soldier at once.

"I might quote the laws of Lycurgus in support of this scheme, but I flatter myself it has abundance to recommend it in its own intrinsic merit, so I shall save you and myself the trouble.

"I am, your admirer,

"DEMOCRITUS."

"MR. PRINTER,—The opponents of the Union of the Colleges have hitherto said but little of the *evils* to which the public may be exposed, if that project takes effect, although these be neither few, nor small, nor difficult to be pointed out.

"The establishment of a *Law Class* will increase the number of *pettifoggers*, and encourage *quarrels* and *lawsuits*; for which there is no occasion, as we have the character already of being sufficiently litigious.

"The *Medical School* will increase the number of practitioners, and consequently the number of *diseases*, real

or imaginary : For it is the interest of every practitioner to fill the minds of his acquaintance as much as he can with the latter ; and by creating these in a proper manner, he will soon produce abundance of the former.

“ In order to obtain *chirurgical patients*, the students will stir up *riots* and *bloodwits*.

“ A Chemical Laboratory is apt to catch fire, and may involve half the town in a conflagration.

“ The *Botanic Garden* will occupy ground at present employed in the culture of *cabbages*, and raise the price of that useful plant. Besides, noxious weeds and poisonous plants are cultivated in these gardens ; the seeds of which may disperse and propagate, and become an insufferable nuisance to the country.

“ From the number of practitioners in Law and Medicine, the *fees* in these professions will *fall*. I am astonished at the want of discernment in the Physicians and Advocates, who give a very ample and unanimous approbation to a scheme so prejudicial to their interest.

“ It has often been remarked that education is *too cheap* in Scotland, and that many attend a College who would be better employed at the plough. Why then attempt to make it cheaper? Indeed, as education at our College is at present conducted, it does little harm : For many a student (whose expense is perhaps defrayed by a burse) returns from the College almost as fit for the plough as if he had never been there. But if conducted on a more extensive plan, and continued longer, it will leave so effectual an impression, as to unfit him for the plough for life.

“ VIGIL.”

"KING'S COLLEGE, Jan. 6, 1787.

"SIR,—About three months ago, there appeared in your Journal, an *Information* from the seven Professors who opposed the Union, containing references to charters, Acts of Parliament, and Acts of Visitation, in the repositories of King's College. As some of these seemed liable to suspicion, I resolved to examine the documents themselves, together with other papers relative to the same subjects. In this I have met with great obstruction and delay. The gentleman in whose custody these papers are, whose obliging disposition is well known, has become on this occasion restiff and dilatory to an amazing degree. Three or four messages, sometimes six, are requisite to obtain the perusal of a single paper; some, quoted in the *Information*, are refused, because they have not been deposited in the charter chest: some are said not to be extant: the new Erection it is pretended was destroyed in the beginning of last century: yet it is largely quoted in the *Information*, and Professor Ker was certainly in possession of a copy. All inspection of the inventories is refused, with a manifest intention of creating delay.

"From such circumstances, it appears, what opinion these gentlemen entertain of their own cause, since even to defend its outworks, they think it necessary to demean themselves by such pitiful shifts.

"Instead of a full examination, I beg leave to offer to any who may have read the *Information*, a few remarks by which they may judge of the credit due to the assertions it contains. The *Information* asserts, that the Act of Parliament in 1633 ratifies the privileges of the College, *with express reference to the old Foundations in 1505 and*

1527 ; whereas, the Act refers to the auld Foundations dated in 1494 and 1497 : that is, it confirms the Papal Bull instituting the University, and the Royal grant conferring civil privileges, internal jurisdiction, and the greater part of the endowments ; but it takes no notice of the Foundation 1505, which contains the statutes of the University, enacted by Bishop Elphinston, in virtue of powers granted by the king for that purpose. These statutes are not confirmed by Parliament, but left free to be altered without the interposition of Parliament, by the same authority which enacted them, that is, by a commission from the crown. By such authority, they have been at various times altered, suspended, and restored.

“As the dates in the copy of the Act 1633 are fairly written, these gentlemen can have been in no mistake ; but it concerned their argument much, that the Foundation of 1505 should be thought to have received Parliamentary ratification ; for this is the *solemn deed* which they affect to hold in such absolute reverence, which binds them (as they would have it thought) to oppose every interference of the crown or legislature in their affairs.

“I too hold it in much reverence ; and if these gentlemen have never violated the tenor of this Foundation, some credit may be given them for a mistaken, even for a superstitious zeal in supporting it. But if they have again and again departed from the literal meaning of the deed, and the evident intention of its author—another inference will be made.

“The *Information* asserts, that in Bishop Forbes's Visitation, *occasion was taken* from the Act of Parliament in 1617, to restore some of the suppressed offices.

There is not the smallest foundation for this in the commission itself, or any acts they have communicated. The Bishop proceeds with full authority from the crown; he takes no notice of any Act of Parliament whatever; and *the occasion* of his interference is declared to be the mismanagement of Principal Rait, and the gross dilapidations which he had committed, by improper leases and sales of the College estate.

"In all their publications, avowed and anonymous, they continually represent the Visitation of Colleges as an unusual and extraordinary measure, of an arbitrary nature, vexatious to individuals and injurious to the communities visited. From what I know of the Acts of Visitation in this and other Colleges, I am enabled to contradict such representations in the most positive terms.

"Visitations are not unusual: from 1661 to 1706, and from 1716 to 1727, there appears to have been a series of Commissions sitting, with hardly any interval, for visiting the Universities in general, or some one of the number in a particular manner.

"Their proceedings have not been arbitrary or vexatious; even in correcting delinquencies the greatest lenity and moderation is shown; the flagrant case of Principal Rait is an example; he is only compelled to refund, and that not completely; he is neither deposed from his office, nor publicly censured, whatever his shame and vexation may have been.

"IT IS MUCH TO BE WISHED that the proceedings of Commissioners of Visitation were better known. Their zeal to promote the interest of the Universities, with the advancement of learning and good education, joined to much vigilance in preventing the abuses which so

naturally arise in PUBLIC ESTABLISHMENTS, do credit to the character of the nation. It is a branch of the public care, exercised in a peculiar mode, with singular discretion and disinterestedness.

“IT IS STILL MORE TO BE WISHED that the regulations they have established were better observed. I mention as examples the restrictions relative to the management of College Property, the Rules for teaching Courses of Philosophy, those for examination of Candidates for every Academical Degree, and the Method of filling up vacant Regencies by Program and comparative Trial.

“Visitations have never been injurious to the communities visited, but often beneficial; they have given occasion to the erection of new offices, and procured more ample endowments of the old. King William's Gift, and Queen Anne's Bounty, seem both to have originated from the report of Visitors; the Colleges have been accustomed to apply to them for support and assistance on emergencies. The predecessors of these gentlemen have repeatedly made such application, and no longer ago than 1720. What reason, then, can they allege for their aversion to submit to Visitation in the present times?

“It will not be supposed that they are liable to reprehension on any account, except it may be the management of the College Revenue; and if their own assertions are believed, they deserve much applause on that head, for the accessions to their revenue ‘have been applied (they say) to every other purpose to which they were by the foundation applicable, in a *far higher* proportion, than to the augmentation of the salaries of the masters’.

“Many things are true which seem not very credible,

and so this assertion may perhaps be true ; but certainly it has staggered the faith even of their particular friends. As for me, I read it with amazement, for I conceive the reverse to be exactly true. To have applied these accessions of revenue to the other purposes, in the same proportion as to the augmentation of salaries, is merely their duty, and might be looked for ; but to apply them to those other uses, in a *far higher* proportion, is indeed generous and disinterested beyond expectation. It is marvellous, and to increase the wonder, they resist a Royal Visitation, for no other reason that can be guessed at, but to avoid receiving from the highest authority the applause due to such liberal conduct.

“I understand, however, that this bold assertion is hazarded in opposition to certain proposals of mine for limiting the augmentation of salaries, for assigning some share of the additional revenue to literary academical purposes, and making better provision for Bishop Elphinston’s Bursars, in terms of the Foundation.

“On these heads, certain differences of opinion have taken place between us for some years past, but wholly confined to College meetings and records, before the month of October, 1785, when an union of the Colleges was proposed. The leaders of opposition to that measure being greatly at a loss for pretexts to avoid entering into treaty concerning it, bethought themselves suddenly of this, and have contrived to interweave it with that business in a very extraordinary way, which they only can explain.

“In their Memorial, they have taken upon them to say, that I pursue private purposes. While their Memorial was circulated in the neighbourhood only, I despised the imputation : it seemed unnecessary to refute,

and still more so to retort the charge: those to whom we are known could judge for themselves, whether the author of that Memorial, or the person traduced, is most accustomed to pursue private ends in College affairs. But as their Memorial is now dispersed at a great distance, I call on them to make good their imputation, and to show what those private ends are, which I am supposed to pursue: and I propose that the Minutes of College Meetings relative to our differences may be printed, for the information of our respective friends. An hundred copies may be sufficient, and I am ready to defray one half of the expense. In making this proposal, I offer them no small advantage; for, using the privileges of a majority, they have always inserted in these Minutes whatever they thought proper, and have excluded, postponed, misplaced, and garbled much of what I wished to have been inserted.

“The seven Professors will readily know, by whom this offer is made, and shall have a private notification beside: to others, it may be sufficient to say, that this comes from

“A MEMBER OF KING’S COLLEGE.”

The seven Professors, instead of accepting an open challenge, preferred to keep behind the double hedge of Presbyteries and Landlords. Among the latter, it is right to mention, a large majority of the great noblemen warmly supported University reform. As to the former, it was the boast of those who admired the conduct of the seven Professors to tell us that “Papers in favour of the project were transmitted to a great number of Presbyteries, *but only in a single instance* were they

received *with approbation*”.* Notwithstanding all the difficulties Professor Ogilvie had to contend with, he carried out his determination to inform the public of the scandalous mismanagement of King's College. The following *Copy Memorials and Protests* were published by him in 1787, along with “*A Complete Collection of the Papers relating to the Union of the King's and Marischal Colleges of Aberdeen*”.

Professor Ogilvie has supplied a characteristic Introduction to these *Memorials and Protests*,—in the fourth paragraph of which we find a true sketch, unconsciously drawn by himself, which is worth volumes of *made-up* biographical matter. His colleagues regard him as “engaged in a determined opposition to all their measures”. He regrets *their conduct*: “He still more regrets that [his] love of tranquillity, and [his] personal esteem for some individuals, *should have so long restrained him from entering into such opposition*”. The *Memorials and Protests*, together with an *Extract from Letters*, are here given *verbatim*, as published in 1787:—

COPIES of MEMORIALS, and REASONS of PROTEST,
inserted in the RECORDS of KING'S COLLEGE, in
the years 1784 and 1785.

THE seven Professors who oppose the union of the Colleges have introduced into their memorial an oblique and not very candid account, of certain differences of opinion which have arisen in their society previous to any mention of that plan; and they insinuate that one of their colleagues has acted from private and party views.

Being called upon to make good this assertion, and to lay

* Pamphlet by Graduates of King's College, 1839.

before the public the minutes of College meetings relative to these affairs, they refuse to comply.

It seems requisite, therefore, that the person thus alluded to should vindicate himself from their intended aspersion. For this purpose he commits to the press the following papers containing the substance of every dispute he ever had with any of his colleagues before the plan of union was brought forward;—excepting only, that, disliking very much the manner in which Academical Degrees in Arts, in Medicine, and Divinity are usually conferred in this College, he has for some years declined taking any concern in such *transactions*.

The seven Professors are pleased to say that he is engaged in a determined opposition to all their measures.—To those only of which he cannot approve: He regrets that they are so many, and still more he regrets that love of tranquillity, and personal esteem for some as individuals, should have so long restrained him from entering into such opposition.

He forbears to make any comment on the following papers. If the gentlemen shall at length publish their very long and elaborate answers inserted in the College Records, he means immediately to subjoin those short replies which they as a majority of the College meeting refused to receive.—Finding that all their skilful industry could not avail to darken or perplex so clear a subject, they thought it expedient to cut short the debate, in a manner which betrays want of confidence in their cause, while it secures some unfair advantages on that side.

The candid and impartial, who pay attention to these controversies, may judge for themselves, whether he who urges the following proposals, or they who, forgetting ancient animosities and some recent jealousies beside, have joined together to reject them, and now refuse to produce the Reasons of their conduct before the public, are most probably guided by private and interested views.

They are the very same persons who have since joined together in opposing an union of the Colleges: acting from the same principles no doubt. However sordid and illiberal these principles may appear to the friends of Learning, it is to be supposed that the seven Professors have their own approbation: and yet this supposition wants not its difficulties in respect of those among them who are men of Letters, and who in other cases, and on former occasions, have shown good inclinations to promote the interests of Learning.

No. I. *Representation to the College Meeting, February 16th,*
1784.

Mr. Ogilvie represents to the meeting that he has many objections to the proposed sale of the washing-green and croft, and wishes to call their attention to one in particular.

That spot of ground is uncommonly well adapted for a Botanic Garden, by the variety of soil it contains, its command of water, its sheltered situation, and its nearness to the College.

Although we are not able, or willing to set a Botanic Garden on foot at present, our successors will probably soon find it necessary to have one.

It is not the pecuniary interests of the College which ought to be regarded in this matter, for that is a trifle, but its interests and accommodation as a seminary of Learning, and the reputation of its present members.

Certainly it will be accounted great ignorance of the progress of Science in the present times, or great disregard of what other learned Societies are pursuing for an University, having the property of a spot of ground so singularly well adapted for a Botanic Garden, and so contiguous, to part with that property, either for money or for favour.

No. II. *Reasons of Protest against the proposed Bargain with Mr. Hugh Leslie,* given in on April 17th, 1784.*

(1st.) It tends to the disadvantage of the College—

By stopping a very convenient road which communicates with the country on the south-west side, and leads directly from the new houses to the open fields ;

By shutting up a well of excellent water, better than any in the neighbourhood, and which continues during the summer months, when they are apt to fail ;

By giving away a more convenient washing-green than any that can be provided in its stead ;

By giving away ground which, lying so near at hand, may be much wanted by the inhabitants of the new houses, and of those which are afterwards to be built, for additional gardens, for pleasure ground, or pasture ;

By depriving the College of the command of a spot of ground, which, by its variety of soil, its command of water, its sheltered situation and vicinity, is so remarkably well adapted for a Botanic Garden, which some time or other the College will have occasion to establish.

(2nd.) It is contrary to the intention of our Founder, who has taken no small pains in uniting so many pieces of ground adjacent to his College, and would have been more disposed to purchase the tenement opposite to its gate, and separating

* This Mr. Hugh Leslie was a son of one of the Professors. He got the ground in spite of Professor Ogilvie's protest, and his representatives still hold it seemingly unchallenged. It is somewhat amusing to note that about the year 1808 Mr. Leslie and the Professors of King's College had a desperate quarrel about a road, which led to their taking *criminal* proceedings against him. He in return published a work of 335 pages 8vo, bearing the title "*The Doctors outwitted*," in which they are painted with touches from Rabelais, and as black as ink could make them. He wished them all "kicked out of their situations, with the exception of Professor Ogilvie, *who*," he adds, "*seldom takes part in their deliberations*".

the Canonist's glebe from the Mediciner's than to suffer any part of either glebe to be annexed to that tenement according to the bargain now in agitation. The alteration of times has made us depart very far from the literal meaning of his institutions, and we ought therefore to be more scrupulous of departing from their spirit, and violating his purposes and intentions even in the smallest affairs.

(3rd.) It is an evil precedent.—About 15 years ago we first began to feu off land within the College bounds; about two years ago part of the Humanist's glebe was feued off, a third alienation seems now to be determined upon, and others are thought to be in contemplation; these instances follow so fast on each other, that it is time to stop and consider where the practice may end.

Had our predecessors thought themselves at liberty to feu off the College glebes, they would not have wanted persons willing to receive them on easy terms, and we should have been much worse accommodated than we are: our successors will not want persons, whom they may be inclined to oblige in the same manner; and this precedent, if admitted, may be alleged in justification of the most pernicious dilapidations.

(4th.) The bargain is unequal.—Little notice might have been taken of this, had it not been extolled as extremely advantageous for the College, and had not that reason been alone given for concluding it so unadvisedly. Let us see then how the matter stands.—Land lying within a hundred yards of a street derives value from its situation whatever be its quality. Some part of this is very good, and the whole very tractable: £4 per acre is a moderate average rent of land lying so near the Old Town street on leases of 19 years. Thirty years' purchase is the lowest price which a proprietor of land will accept when he is not constrained to sell. Thirty years purchase of £4 converted into a feu-duty gives £6* per acre instead of £3 10s.

$$* \text{£}4 \times 30 = \text{£}120 @ 5\% = \text{£}6.$$

as the simple value of the ground, without taking into consideration the conveniences which the purchaser acquires, and the inconveniences to which the sellers have submitted. In this case the purchaser acquires a desirable addition to his pleasure ground, and gets rid of a troublesome road; the sellers are deprived of a commodious access to the country, of an excellent well, and ground very valuable to them for academical purposes and others. These considerations ought to have raised the price far above the moderate feu-duty proposed. Everyone must see this: Mr. Leslie with great candour acknowledges that his son gets the ground somewhat below its full value, and mentions 10 or 20 shillings a year as the abatement. The mere loss of this value may be accounted a trifle, but the stopping a road, the shutting up a well, and depriving the College of ground which may be so much wanted for purposes the most creditable for an University, are considerations of some importance.—In some smaller circumstances (which it is not necessary to insist on) the interest of the College is manifestly overlooked.

(5th.) It is at least doubtful whether we can legally alienate for ever lands lying within the precincts of the College.

A proposal having been made to take the opinion of lawyers on this point, it may be thought extraordinary that four members of the College meeting, in opposition to three, should determine to proceed without delay: especially when that proposal was supported by referring to a transaction in this very College, which being brought before the Lord of Session, it was found (according to L. Bankton's account then read to the meeting) "Deeds granted by the Principal and Members of an University or College are not effectual against their successors in office, but so far as they were for onerous causes tending to the good of the University" (M'Dowal's *Institutes* i. p. 9).

But whatever our powers shall be found to be, it certainly

behoves us to keep at a distance even from the suspicion of abusing them.

With regard to this transaction, in which we act as life-renters and trustees for our successors, it will perhaps be asked whether the majority would have feued off these subjects to a stranger on the same terms, or almost on any terms whatever.

It may likewise be asked whether any individual of the Society, if proprietor of the new houses and the subjects in question, would have allowed the road to be stopped, and the well to be shut up, or consented to part with that piece of ground on these terms, or almost on any terms whatever.

No. III. *Representation to the College Meeting, May 11th, 1784.*

Mr. Ogilvie requests that the meeting will take into consideration the state of the Library, which is extremely deficient in various branches of science and literature, particularly in the more valuable books published at home and abroad since about the end of last century. It appears that the fund is at present so much reduced as not to furnish any reasonable supply: during eight years preceding Martinmas, 1782, after defraying the necessary annual expenses, not more than £5 or £6 a year has been afforded for purchasing books.

He proposes, therefore, that as the Ædilis fund has been from time to time augmented by assigning annual payments from the Procuration fund, so the Library fund, being so much reduced, and wholly inadequate to its purpose, may receive augmentation by an annual payment of the same kind.

He will not take upon himself to name any sum, for he cannot doubt that his colleagues will see the expediency of supporting this branch of academical expense in a very liberal manner.

Other methods of improving the Library fund have been mentioned, but they are precarious, scanty, and liable to various objections: that now proposed is easy, certain, may

be considerable, and the more considerable it is, the more credit it will do to the Society: it is altogether conformable to precedents repeatedly set in the case of the *Ædilis* fund: the late improvements of the College revenue will admit of it; and as the library ought undoubtedly to partake of these improvements, such an augmentation of its fund must appear exceedingly proper, or rather indispensable.

No. IV. *Proposals given in to the College Meeting, November 20th, 1784.*

The College meeting of July 7th having refused to augment the Library fund by an annual payment from the Procuration, the following proposals for procuring some additional funds for purchasing books are now submitted to consideration.

(1st.) That the dues payable on degrees (the principal branch of the Library fund) be increased one half, *i.e.*, the degree of Master of Arts 3s. 9d., and the degree of Doctor in any of the Faculties £2. 10s. *Other circumstances being considered*, the candidates will probably not grudge this additional expense. It is almost a century since these dues have been raised, and perhaps the neighbouring University might concur.

(2nd.) Though it is far from expedient to impose any new payments on the students, it might be proper enough to transfer to the Library certain dues, which are at present exacted from the bursars on very antiquated pretexts, and to give them in compensation more frequent and advantageous access to the books which it contains. The dues alluded to are 2s. 6d. yearly for the use of silver spoons, which they never see, and one shilling yearly for a dinner, at which they are never asked to be present. These taken together may amount to about £12 sterling.

(3rd.) That compensation be made to the Library fund for those sums which at the time of fitting up the new Library, and since, have been taken from it to defray expenses properly

belonging to the *Ædilis* fund. By a rough calculation these amount to £120 or £130; and as the Library fund is not to receive an augmentation from the other funds of the Society, it seems but just that it should not be pillaged for their behoof.

An immediate augmentation of the Library from the Procuration fund will no doubt be more effectual and more creditable for the College than any, or all of the above proposals; but the Society have declared that buying books for the library is no legal burden on the funds, because it seems there is no mention of it in the foundation; nor is there in the foundation any mention of dividing annually among the masters any accrescing revenue which might afterwards arise; on that ground, therefore, this annual division might be declared fully as illegal as buying books for the Library, and to those not concerned it might appear somewhat more so. But it is more reasonable perhaps to admit that as both are academical purposes, and in some degree necessary, though not expressly authorised by the foundation, they may, under proper limitations, be accounted not inconsistent with its spirit and intention.

I mean not to make any further mention of applying our general funds in purchasing books, as that is so unacceptable a proposal, but I take this occasion of suggesting to the Society two things which seem requisite to render our annual division of the accrescing revenue less exceptionable than it appears at first sight, and not irreconcilable with the spirit of the foundation:—

(*First.*) That those eleemosynary payments which the founder has specially appointed should be made to partake of the improvement of the revenue, or at least be kept up to their original value. By the foundation, Bishop Elphinston's bursars are entitled to lodging and education *gratis* with an annual payment of 12 merks. By Ruddiman's table and other documents it appears, that in the reign of James V. 12 merks were at least equivalent to 12 bolls of barley or meal;

but £3 8s. sterling, the sum which the bursars now receive (after all deductions), is hardly equivalent to six bolls at the lowest valuation.

(*Second.*) That in the management of the general revenue of the Society, an accumulating fund should be established, similar to that whose good effects are so familiar to us in the management of particular mortifications. We owe it no doubt to our successors to make some provision for their having still the same or a more ample accrescing revenue to divide.

For this end it is proposed that instead of dividing the whole amount of the accrescing revenue every year, a certain proportion of it, as one tenth part, should be appropriated to an accumulating fund, to be kept separate from others and improved at compound interest by the procurator. That it shall not be allowable to touch any part of this fund, until its annual produce shall have been on an average of ten years equal to the accrescing revenue annually divided among the masters. That when this shall come to be the case, either by the increase of the one fund, or the falling off of the other, it may be allowable to transfer to the procuration any part of the accumulating fund not exceeding a certain proportion, as two thirds, the remainder being left to go on accumulating as before.—If the principle is not rejected, the particular conditions of such a scheme may be varied at pleasure. Had such a fund been established when the annual division of accrescing revenue commenced, it might by this time have amounted to £1800, and in 17 years after to £6000, at which time if the average of the accrescing revenue had not risen above 300*l.* an addition of 4000*l.* to the procuration fund would have taken place; if the accrescing revenue had risen higher, such addition would have been less necessary.*

* Instead of adopting this scheme, his colleagues went on increasing the college debt at the rate of £90 annually, besides swallowing £15000 of additional Government Grants, from 1807 to 1826.—*Report of Royal Commission*, 1826. p. 310.

No. V. *Reasons of Protest against the Resolutions of the College Meeting, April 9th, 1785.*

(1st.) Because the majority have rejected my proposals as improper, without venturing to deny the reality of those abuses to which they refer, and without suggesting any less improper in their stead.

I have asserted that the revenue of the library is so scanty, that no more than £6 is annually expended on buying books, and that this revenue has been improperly reduced by transferring considerable sums to the *Ædilis* fund. I have asserted that the payments made to Bishop Elphinston's bursars have fallen far below their original value, while the salaries of the masters payable out of the same funds have risen far above it.—I have asserted that our present method of dividing the whole accrescing revenue annually among ourselves is neither strictly justifiable nor very decent. The majority have not contradicted any of these assertions, nor can they.

The remedies I proposed are very possibly far from the best that may be devised. I meant by proposing them chiefly to express my own wishes, and to rouse the attention of my colleagues, several of whom I know to be more equal to the task. I was by no means attached to these proposals as mine, and would gladly have consented to any moderate remedies, which the Society in their discretion might have chosen to adopt. But all remedy whatever is, it seems, to be withheld. The strange maxims I have heard asserted (inconsiderately as I thought) are to be maintained in practice, and defended as usual by evasions and forms.

(2nd.) Because, by requiring that hereafter all Reasons of Protest should be communicated to a College meeting previous to their insertion, the majority have prescribed a form, which, if it is not frivolous, must have a pernicious tendency.

They have also found that the insertion of my last protest, by my own hand, was irregular. How could I suppose any

irregularity in that which is so consonant to the practice of the Society? How many minutes are there inserted by private members, in their own hand, without any formal notification to a meeting? No later than the very gentleman who moved for those resolutions against which I protest, inserted with his own hand, and without the least communication to the College meeting, a minute purporting to be their resolutions, and assigning certain payments of money in their gift. If it be competent to a private member to insert minutes in this manner, how much more must it be so to insert his own Reasons of Protest, Reasons, over which, if communicated, the Meeting can have no power to alter or reject them. For that they have, even this majority will not assert.

Amid their zeal for frivolous and pernicious forms, let them be reminded of that facility, with which on a late occasion they chose to trample under foot forms truly salutary and essential. I mean those forms which require that all our resolutions on business should be recorded in the minutes at the time, and signed in presence of the meeting.

I am but little acquainted with forms, and much disposed not to trespass against them. Of both these circumstances my opponents have profited. It gives me satisfaction, however, and seems a good omen, that men so well acquainted with business, and of such sound judgment as some of them are, choose manifestly to defend their present cause by formalities and *fetches for delay*, and seem to shun as with horror all free discussion of essential points.

WILLIAM OGILVIE.

N.B.—In the College meeting April 12th, 1784, Mr. Ogilvie proposed that the opinion of the Crown Lawyers should be taken on the two following Questions:—

(1.) Whether the feuing out of land, lying within the

College precincts, is a lawful administration, except in cases of necessity?

(2.) Whether a Feu-charter of the subjects now in question will bind our successors, in case they should want these subjects, for any purpose tending to the advantage or reputation of the College, as for a Botanic Garden?

This is the proposal mentioned in No. II.

The protest mentioned in No. V. was taken in the College meeting, held Jan. 31st, 1785, on account of the majority's delaying to insert in the minutes the proposals given in Nov. 20th, 1784.

Reasons of Protest.

(1st.) Because on this occasion an inconsiderable majority, viz., Dr. Gerard, Dr. Chalmers, Professor Gordon, Professor Leslie, arrogate to themselves a power which cannot belong to any majority, however numerous or respectable.

Will they presume to say that any member has not a right to make in the College meeting such proposals as he thinks may tend to the advantage of the Society, and to have them inserted in the minute as part of the *Res Gestæ* of that day? Or will they say that matters of a frivolous nature were suggested to their attention, when it was proposed that the scanty income of the Library should be improved by increasing the fees which are now usually paid on degrees?

That the spoon money and money for the annual dinner (if continued to be collected) should be applied to the Library for the particular advantage of the bursars, from whom it is now collected on obsolete prettexts.

That the Library fund should receive compensation for certain sums which had been improperly taken from it.

That the payments to Bishop Elphinston's bursars should be made equivalent to their real value at the time of the foundation; or rather be made to partake of the late im-

provement of the College funds. And that a certain proportion of the accrescing revenue, now annually divided, should be set apart for an accumulating fund, to be improved at compound interest, and not to be broke in upon until its annual produce shall have become equal to the sum annually divided among the masters.

(2nd.) Because of late a system has been adopted of eluding inquiries, and suppressing all free discussion of questionable points. On various occasions this system has betrayed itself, and in the meeting of Oct. 23 it was pretty openly avowed. The present resolution of the majority manifestly flows from it, and being of small importance in itself is probably intended to form a precedent. In that light it seems important and pernicious, and deserves to be resisted to the utmost.

WILLIAM OGILVIE.

*Extract from Letters to a Gentleman in the Country written
by a Member of King's College.**

KING'S COLLEGE, Oct. 21st, 1786.

You must have read with surprise that part of the memorial from King's College, in which it is alleged, that I had started the proposal of a visitation, with a view to bring forward private and party complaints. I am far less acquainted with party cabals than some of these gentlemen are, and not much accustomed to complain. On this occasion nothing can be farther from my thoughts than to bring any complaints whatever before the royal visitors, were they already appointed. I might perhaps take the liberty to lay

* These Letters were written by Professor Ogilvie to (we may safely assume) his friend the Earl of Findlater and Seafield, the Chancellor of King's College.

before them some proposals, relative to the improvement of education, and the better management of our funds, but, without any mixture of complaint, and with as little reference as may be to any thing that is past.

As to the matter of private or personal complaint, I have none. We have differed only in questions of a public nature respecting the intentions of the founder, and the proper application of the College revenue.

I have proposed that the augmentation of salaries should be limited to a definite sum: that a due share of the surplus revenue should be set apart for literary academical purposes: that the practice of borrowing sums of money, and leaving them as perpetual burdens on our successors, should be laid aside: and that an accumulating fund should be established on a suitable plan.

They have rejected all these, and I confess I felt the disappointment of their rejecting the accumulating fund. It is but lately that the wonderful effects of such accumulation have become the objects of belief. In the affairs of great nations they must be precarious; but in the affairs of small communities it may be hoped that they would proceed under the protection of municipal law, for a long series of generations, with all the certainty of calculation. Believing that my colleagues might be made to attend to this, and being extremely desirous that an establishment of that nature might have commencement here, I renewed my proposals; suggesting that 5 per cent., or even 3 per cent. of the surplus revenue, might be sufficient. Supposing this last to amount to £10 per annum, I stated, that if applied to the payment of debts, it would in 44 years clear off £1500 of those for which provision ought to be made: if suffered to accumulate, it might, in a space of time equal to what is past since the last visitation, produce an increase of two thirds to the surplus revenue: if suffered to accumulate for a century, a period which may

reasonably fall within our calculations, since the community has existed in safety for three centuries, it would produce a fund equal to all that the Founder or private donors have bestowed on the College.

Even this moderate scheme could obtain no regard. In the last page of their memorial it is asserted that the members of King's College have extended their care to the improvement of the revenue in a more effectual manner than by an accumulating fund. The very measures to which they refer, to wit, the valuation of teinds and the sale of superiorities, have a manifest tendency to advance the income of the present incumbents, at the risk of diminishing the value of the funds in remoter times. But a proportional, well regulated accumulating fund might render such transactions unexceptionable, and equally advantageous, to the present incumbents, and their successors, at any time whatever.

They are pleased to renew the encomium on their good management in their *Information*, where I have just read with amazement that "the accession to the revenue has been applied to every *other* purpose to which it was by the Foundation applicable in a *far higher* proportion than to the augmentation of the *salaries* of the masters".

Were this assertion reversed, I might admit it as true. I know well their dexterity in the use of words, and how much they excel in elaborate ambiguity: to couch four different meanings in one short sentence, or by the help of Italics, two meanings absolutely contradictory in another, are ordinary exertions of their skill: but though I have studied the expression and even the Italics here with the utmost attention, I find it impossible to divine by what evasion, by what sophistry, they can hope to reconcile this assertion with the facts. An example will show the difficulty of the case.

By Bishop Elphinston's Foundation, the eight masters now remaining on the establishment have 205 merks for their

salaries ; the twelve bursars 144 ; and 40 merks are set apart for the Ædilis fund.

Since the late improvement of the revenue, the bursars have got an addition of £20 sterling, the Ædilis fund of £30, and the eight masters receive annually, at an average, £240 of augmentation.

Were this sum of £290 sterling divided in the same proportion as by the Foundation, the Bursars should have about £110 and the masters only £150. Whereas the Bursars get hardly one fifth part of their due, the Ædilis fund nearly its due, and the masters considerably more than theirs. This accession to the revenue seems therefore applied to the augmentation of salaries in a *far higher* proportion than to other purposes.

An explanation of this will be soon required, and then, if not declined, we shall see how the Author of this *Information* will avail himself of that art in which he is allowed to excel, and in which he counsels his associates to put their trust. "We must say strong things," is the watchword inculcated on his party.

Of all the strong things they have ventured to say, the profession of respect for the College oath is, with regard to some of them, far the strongest. Can you believe that they understand it in the sense which they pretend? I do not even believe that they have taken the oath which they have published. That which I understand to have been in use ever since the year 1684, and perhaps long before, is essentially different. It binds to the observation of the first Foundation *Nisi forte aliter Cancellario Universitatis aliisque legitimis superioribus visum fuerit*.

Now what must be thought of men who, having twice consented to an union of the Colleges on narrow and selfish plans, refuse to consent to a more liberal scheme, and try to cover their real and pretty obvious motives by pretending

reverence for an oath, the obligation of which could prove no check when a considerable augmentation of salary was in view?

Still further, what must be thought of them if, to persuade the public that such is their motive, they circulate in print, and in their private correspondence, copies of this oath altogether different from that which has been administered to them on their entrance to the Society?

In common men, in all but those of whom we wish to think very tenderly, such conduct would be ascribed without hesitation to a base and flagrant hypocrisy.

Certainly the professor who circulated that copy of the College oath has more reason to be ashamed of his legerdemain than even of that foolish promise to sing doggrel verses, with which it was accompanied, and which he has never been able to perform.

Amid all these angry controversies no means are neglected which may dispose these gentlemen to free conferences and an amicable compromise.

Application has been made in particular to one of their number, who is much respected by us all. The liberality of his general sentiments is well known. His opinion was explicitly favourable to the last plan of union, and cannot be supposed unfavourable to this, although his connections may have led him along so far.

If he can be prevailed on to assume the office of a mediator, all differences will soon be adjusted. If he can be prevailed on merely to withdraw from active opposition, and to embrace that neutral pacific part which another respectable member of King's College has chosen, the best consequences will probably ensue. Deprived of his countenance, the other six, being such as they are, will hardly choose to stick together alone in so notorious a cause.

However that may be, this gentleman certainly has it in

his power to effect an union of the Colleges if he thinks fit. It is hoped he may consider how much he owes it to his own sentiments, and to the general voice of the intelligent public. Perhaps he may recollect that the friends of union have some claim on him, for that deference to his sentiments, and connections, which induced them to relinquish the last plan in silence and rather prematurely.

These *Letters* and *Extracts* furnish the only instance in Professor Ogilvie's life, where we find him revealing himself in his true character, as defender of the rights of the people; excepting another glimpse in 1764, when his name prominently appears in connection with a scheme for a *Public Library* in Aberdeen, which was to embrace the libraries of the Universities. With the exception of these two glimpses, Professor Ogilvie, as far as known, never disclosed his name to the public in connection with anything he did, or attempted to do, during the whole course of his long life. He loved tranquillity, and avoided publicity. It is not improbable that, after due deliberation, he came to the conclusion that his contemplations and schemes for the general welfare of mankind would have more effect if published anonymously than otherwise. His *Right of Property in Land* was read on the continent of Europe, as the work of an Englishman, who advocated the abolition of serfdom, and who was able to say: "Look at us *English*, how we have prospered since we became a free people,—you French, Germans, Poles, Russians, etc., want a revolution very badly, we had our last one in 1688; you are a full century behind us".

Professor Ogilvie must have rejoiced in the abolition of serfdom in France. The Revolution of 1789, ghastly in some respects, was only the natural outcome of what preceded it. Its ruffians were the immediate offspring of serfdom, bred and trained in the schools of tyranny, oppression, corruption, and cruelty. The renowned Charles James Fox, speaking in the British House of Commons, on 5th May, 1791, in reply to a gentleman who attempted to *burke* the real facts which gave rise to that Revolution, said: "He considered the Revolution in France to be the greatest event for the happiness of the world that had happened since the Creation".

Professor Ogilvie also lived to rejoice in the still more sweeping land tenure reforms carried out in Prussia. "Nothing, probably," says the late Professor Fawcett, "has so powerfully contributed to promote the extraordinary progress of Prussia as the reforms which were carried out in her system of landed tenure, at the commencement of the present century, by Stein and Hardenberg. A feudal tenantry was transformed into cultivating proprietors, who have, probably more than any other class, contributed to the social and material advancement of Prussia."* These reforms were doubtless planned by Frederick the Great, and no reader of *The Right of Property in Land* would be surprised to learn that a copy of that work, marked "with the author's compliments," was found *inter alia* in the repositories of that famous monarch. Such a discovery would not be more surprising than that Professor Ogilvie had something to do with the land tenure reforms carried out by Lord Cornwallis in lower Bengal, in the year 1793. The

**Manual of Political Economy*, London, 1874. p. 201.

reader of *The Right of Property in Land* knows the interest manifested by the author in that "unhappy country"—India. Addressing himself to our "East India Company" and the "British Government" in 1780-81, he says: "No nobler opportunity, no equal fund for exhibiting to mankind the illustrious pattern of a just and equal establishment of landed property, was ever, by any conjuncture, thrown into the hands of a set of men very capable of perceiving wherein the best use of such an occasion would consist" (p. 108).

The following memorandum, in the handwriting of Professor Ross, found among Professor Ogilvie's papers, gives us a suggestive glimpse :—

"June 15th, 1790.

"Mr. Ross has got some *Calcutta Gazettes* which he will send to Mr. Ogilvie in a day or two hence. The *Calcutta* publications were stopped at the India House, but Dr. Dunbar says that they will be sent to Mr. Ross soon. When he receives them he will send them to Mr. Ogilvie, at whose desire Colonel Ross sent them."

Dr. Dunbar has been alluded to already as one of Professor Ogilvie's radical colleagues. He was the author of *Essays on the History of Mankind*, published by W. Strahan, London, in 1780. He was also the author of a Latin pamphlet on the American War of Independence; and, for having taken the side of the Americans, he is described as "being somewhat imprudent in politics".* Colonel Ross was evidently a brother of Professor Ross, and very probably, either an old pupil or a fellow-student of Professor Ogilvie.

The following letter gives a fuller glimpse of Professor

* *Personal Memoirs by Pryse Lockhart Gordon*, London, 1830.

Ogilvie's connection with the *Regulations* which Lord Cornwallis * *attempted* to carry out, but which the "per-

* Lord Cornwallis wanted to give the *Khoddkhast Ryots*—that is, the original cultivators, or their descendants—a proprietary right. They got Fixity of Tenure and Fair Rent by his *Regulations*. The *Zemindar*, or Landlord, could not evict them, or extort from them a higher rent than the *Pergunnah neerik*, i.e., the rent common in the district. This Law, however, was generally violated, and the following is a flagrant example of such violation:—"The *Zemindars* of Rungpore, Bogra, Mymensing, Dinagepore, and other surrounding jute districts have raised the rates of land rent on jute crops from one rupee per *Beegah* to seven, eight, and ten rupees". *Dacca News*, 12th June, 1858.

Other Ryots, who were only tenants at will, were the victims of extortion, or eviction, at all times. The *Khas* (Government) *Ryots* of Madras were not better off than the Ryots under the Zemindars of Bengal. "Madras," says the *D.N.*, "we believe maintains an army of 45,000 Cormorants and Vultures under the name of 'Rent collecting peons'." The Company boasted that the *Khas Ryots* of Madras had equality. So they had; but it was like the equality of "frogs under a flagstone"! "The Company's servants resembled the French nobility." The *Sepoy* revolt of 1857 was in obedience to Natural Law. The British Government realised this, and the Company was wound up in September, 1858. Those who had the use of their eyes saw the end coming. Dr. Duff, the famous Indian Missionary, was at the time promoting a scheme for the education of the natives, and when the Company rejected it, he was heard to mutter to himself: "*This is the last kick of an expiring ass*".

The Land Company of Ireland, it is to be hoped, is having its *last fling* now. A Conservative Government "Relief Bill" for landlords is not a bad sign. But two things are necessary for the purpose of accelerating Irish reform:—(1) The Battering Ram should be used, not here and there, but all along the line, and the British Soldiers engaged at evictions should always get the word of command—"Don't hesitate to shoot". (2) The Priests of Ireland should trust Heaven, and stay away from evictions. They should give Natural Law a fair chance for once—when it would be seen whether *It* or *The Castle* would in the end rule the hearts, and direct the bullets, of British and Irish Soldiers.

The Land Company of Scotland carried out the "clearances" in the Highlands and Islands chiefly by the aid of the Protestant and Presbyterian clergy. These oracles said to the people: "This is God's own work"; and the people succumbed, as they used to do when told

manent official" took very good care to render, not only useless, but in many cases, oppressive and tyrannical, until the misery of the Native cultivator could find a comparison nowhere on the face of the earth, *except in Ireland* :—

" ABERDEEN,

" 4th July, 1792.

" MY DEAR SIR,

" On my return from the country last night, I had the pleasure of your letter of the 2nd inst., together with the books. Your remarks on Mr. Law's book seem to me perfectly just. Some of them occurred to myself on reading it. If you will take the trouble to

that God sent a plague. Innocent children wondered, deluded women wept, and men otherwise brave behaved like sheep. To rebel against God was considered not only sinful, but utterly hopeless, and the power of describing the vengeance which would await such rebels in the next world, was recognised as a heavenly gift among the clergy of those days. The British Oracle, be it admitted with shame, too often acted, and, in many cases, still acts as

" — the sullen frumpish fool,

Who loves to be Oppression's tool."

supporting Landlordism and Slavery even from the pulpit, whereas all that can be said of the vast majority of Irish Priests is, that they unwittingly supported the traditional enslaving policy of Henry II. of England, who, with the Pope's authority, introduced Landlordism into Ireland. But since the date of the Plan of Campaign *Rescript*, the Nation, the Priests, and the Orangemen are fast becoming one loyal Ireland, and "loyal Ulster" is being eclipsed by the general spread of its own light. Of this, let all ancient Primrose Dames (especially those of the *other sex*!) take a note; and let Ulster, which preserved the leaven of reform (its *Tenant Right*), have its due share of national glory in regard to the improved Land Laws of Ireland. The question is also taking root in Britain. The soil of England, Scotland, and Wales will very soon be declared to belong, *by birthright*, to the whole people, and not to a handful of so-called landlords. A very remarkable declaration in this direction by our present Prime Minister, Lord Salisbury, will be found in Section X. of the *Appendix*.

send me a copy of the remarks you mention, along with your extracts from the *Essay on Property in Land*, I will take the very first opportunity of forwarding them to my brother. I know he will be very happy to receive any communication of that sort, and, perhaps, if Lord Cornwallis remains in India long enough to consider them deliberately, they may be productive of good effects to the peaceable, industrious inhabitants of Bengal. In the meantime, it occurs to me, that as you are so much master of the present state of that country, and of the proposed plans for the management of it, you might give to the *public* a short essay on the subject, which I am certain would be well received, and might be very useful to those who wish to render the numerous inhabitants of Bengal independent and happy. Your suggestions and ideas might be put in execution there, under a wise and steady government, and in my opinion, it is the only country in the world, at present, in which trials might be made, either on a small or large scale, according to circumstances.

“You know I am, with invariable esteem,

“Entirely yours,

“JOHN ROSS.”

The “short essay,” if published, remains to be unearthed. Meantime the brief diagnosis of the distresses of India and Ireland which the author gives in his *Right of Property in Land*, coupled with the remedies he suggested, may be accepted as a miniature sketch of a true lover of justice, whose principles, although rejected and despised by the wiseacres of his time, were based upon wisdom and truth. His foresight

suggests to us wide and accurate knowledge as well as the possession of a very remarkable intellectual crucible.

Ireland, poor Ireland, whose sons, Ogilvie tells us, "even in Spenser's time," respected the original right of equal property in land (p. 10), is still labouring under the same curse as in "September, 1780." He then suggested an Agrarian Law, and he unhesitatingly states that "the distresses of Ireland, whatever they may have been, must be allowed by impartial observers to have arisen far more from the abuses of landed property than from the restrictions of commerce" (p. 110). What Ogilvie saw with extreme clearness in 1780 is only now (1890) becoming visible to the eye of the ordinary British Politician.

Pryse Lockhart Gordon (the author of the *Memoirs* above referred to), was a son of the minister of the parish of Ardersier, in the county of Nairn. He entered King's College, Aberdeen, in the year 1776. We are indebted to him for the following interesting sketch of Professor Ogilvie. He says in his *Memoirs*:—

"We attended the lectures of Mr. Ogilvie, Professor of Humanity, three times a week. He was esteemed the most elegant scholar in Scotland of his day; and his translations of Horace and Virgil have, perhaps, never been surpassed; they ought to have been printed *in usum Delphini*. Ogilvie was also a man of great general erudition and critical knowledge, especially in Natural History and the fine Arts. He was a profound antiquary and medallist, though his opportunities of acquiring this taste were so limited. He had, however, collected a little museum, and was rich in rare prints, especially portraits of eminent persons.

“On my return from Italy in 1800, I paid my old master a visit ; and though then at a very advanced age, he was in complete possession of his mental faculties, but a cripple with gout. I presented him with a few Greek and Roman coins, which I had picked up in my travels, and also some fragments from Pompeii, and a small genuine Greek vase. It was delightful to see how the eyes of the old antiquary sparkled (or rather squinted), when I laid before him these treasures as a *ricordanza*, and the pleasure with which he examined them. I was much surprised to find in our conversation the minute acquaintance which he had of every work of art in Italy, the correctness of his taste and wonderful memory.

“He shewed me a large collection of castes in sulphur, which my uncle, Mr. C. Morrison, had presented to the college where he had been educated. They probably would never have seen the light, had they not been committed to the especial care of Mr. Ogilvie.

“Many years afterwards, Mr. M., who died at Rome, left by will to this Royal University, the most curious gallery of pictures ever amassed by an individual, 300 specimens of all the great Italian masters.

“Since poor Ogilvie was gathered to his fathers, no attempt has been made, so far as I know, for the recovery of these lost treasures.”

The recollections of this pupil, it is right to explain, were unearthed after the first portion of these *Notes* was printed off. It seems that he had not the faintest idea of Professor Ogilvie's advanced views on *politics*. If he had, he, with the filial regard of a devoted pupil, conceals, what to his understanding, was seemingly a

dark spot—"imprudent in politics"—on the otherwise unblemished character of his favourite professor. He mentions that the 4th Duke of Gordon visited Italy in 1761, and stayed for a considerable time in the country of the Grand Dukes of Tuscany.* Professor Ogilvie, who, as already mentioned, was travelling tutor to the Duke of Gordon, had then a right royal time of it, and it is no longer a matter of conjecture how he utilized his continental rambles.

The Rev. Donald Sage, of Resolis, in the county of Ross, who knew several of the students who studied at King's College, has left us the following notice of Professor Ogilvie :—

"Wm. Ogilvie, the renowned Professor of Humanity and Natural History at King's College, was fresh in the memory of all my contemporaries at Aberdeen College. They never wearied talking of him, and of his unrivalled translations of Virgil's Eclogues. It is much to be regretted that these were not published. He devoted nearly every third hour of his literary life to the study of these magnificent specimens of ancient pastoral poetry." †

* Cosmo the 3rd Duke of Gordon, was called *Cosmo*, in compliment to *Cosmo de Medici III.*, Grand Duke of Tuscany, "with whom his father was on the closest habit of friendship".

At p. 81, we find Professor Ogilvie referring to the pernicious effect of the "hospitals and almsgiving of the Italian cities". In the ruins of the house of Medici he must have read an object-lesson of deep interest. The last branch of that renowned family "found Tuscany a prosperous country where art, letters, commerce, industry, and agriculture flourished, and left her (in 1737) poor and decayed in all ways, drained by taxation, and oppressed by laws contrary to every principle of sound economy, downtrodden by clergy, and burdened by a weak and vicious aristocracy".

† *Memorabilia Domestica*, Wick, 1889.

On Monday, 23rd August, 1773, the celebrated Dr. Johnson visited Aberdeen. He saw some of the "*wise masters*". *Vir sapit*, &c., was their motto. The doctor was in a conversational mood, but Boswell tells us:—"The professors were afraid to speak". Professor Ogilvie must have been from home, otherwise the faithful Boswell would have said something about him.

Francis Douglas, another literary tourist, visited Aberdeen in 1780. He wrote a minute account of the Universities, and the reader is indebted to him for the following extract:—"About eight years ago, Mr. William Ogilvie, Professor of Humanity, began of his own accord to put together a collection of specimens for a Museum of Natural History, in the King's College, and has now fitted up, and furnished three apartments for their arrangement. The Professor reckons he has already nearly obtained the first object he had in view, which was to procure such an assortment of specimens of fossils, and in the various branches of Zoology, as might serve to excite the liberal curiosity of youth, and make them, in some measure, acquainted with the immense variety of the works of nature.

"He proposes still to go on, enlarging the Museum as new acquisitions come to hand; but without pretending to adorn it with splendid and costly specimens. In the progress already made, he acknowledges himself to be much indebted to the assistance of many respectable people in the country around; and modestly says that his own trouble has not been so great as may appear. One is astonished to find so large a collection of

birds, fishes, marbles, spars, &c., accumulated in so short a space." *

We extract the following brief notice from another literary tourist, who came after Douglas: The Rev. James Hall, in recording his visit to Aberdeen, says:—

"Professor James Beattie, of the New Town College, nephew of the late Dr. Beattie, seems to know more of Natural History, and the important and now fashionable branches of knowledge connected with it, than any other person I know in any part of Scotland, excepting the accomplished Professor Ogilvie, of King's College here".†

Sir James Mackintosh, another pupil of Professor Ogilvie, did not neglect to add *a stone to the cairn*. He entered King's College in October, 1780, and a quarter of a century afterwards, we find him making the following note in his *Memoirs*:—

"The lectures of Mr. Ogilvie, Professor of Humanity (as the Roman literature is called in the Scotch Universities), I still remember with pleasure. This most ingenious and accomplished recluse, from whom I have received a letter within this month (June, 1805), is little known to the public. He published, without his name, 'An Essay on the Right of Property in Land,' full of benevolence and ingenuity, but not the work of a man experienced in the difficult art of realising projects for the good of mankind. Its bold *Agrarianism* attracted some attention during the ferment of speculation occasioned by the French Revolution.‡ But what I remem-

* *A General Description of the EAST COAST OF SCOTLAND*, by Francis Douglas. Paisley, 1782. Aberdeen, 1826.

† *Travels in Scotland*, by Rev. James Hall, A.M., London, 1807.

‡ J. R. M'Culloch, in his *Literature of Political Economy* (London, 1845), after quoting these words, adds:—"But, in truth, the author's

ber with most pleasure of Mr. Ogilvie were his translations of passages in classical writers. I should distrust the general admiration which attends the vague memory of youthful impressions ; but I now recollect distinctly his version of some parts of the *Æneid* ; and I doubt whether a great poet, distinguished, beyond other excellencies, by his perfect style, was ever so happily rendered into prose, as in these fragments of Mr. Ogilvie."

Sir James Mackintosh was considered, in his day, as being rather in advance of his time, but in regard to the *Land Question*, he was, at least, a full century behind Professor Ogilvie.

The following letters from a grateful pupil will be perused with some interest by every intelligent reader of *The Right of Property in Land* :—

Letter from John Garvock to Professor Ogilvie.

"HORSE GUARDS, 6th November, 1812.

"MY DEAR SIR,—Major Tod did me the favour of calling upon me this morning, as he informed me by your desire, and I need not tell you what gratification it afforded me to find that I was not forgotten by you. I was much pleased to learn from the Major that your health is tolerably good, and that you are still enabled to continue your attention to your favourite pursuits. And I am induced to flatter myself with a hope of having this agreeable intelligence soon confirmed under your own

schemes, however well intended, are not impracticable only, but mischievous ; and his principles and reasonings are alike false, shallow, and sophistical. Probably, however, it was hardly necessary to say so much of a work that never had any influence, and which has long been forgotten." *N.B.*—Poor J. R. M'Culloch had no idea that he was writing his own *certificate of character* when he penned this criticism of *The Right of Property in Land*.

hand, than which, in truth, nothing could be more acceptable to me.

“It is now very long, indeed, since I had the pleasure of any communication with you, but this I must attribute entirely to my own negligence, for it was my duty to have paid my respects from time to time to you, without regard to the regularity of your returns, and, however uninteresting my correspondence might have been, I have experienced so much of your partial indulgence as to satisfy me it would have been kindly received.

“You have, I presume, just commenced your session, and though my mind has long been necessarily too much estranged to literary habits, *Alma Mater* at this moment rises distinctly to my view. I feel the former fires—*veteris vestigia flammæ*—and all those impressions (never to be obliterated), which I received from your tuition and society. I have so little intercourse with Aberdeen, that I am quite ignorant of the state of the college now, but while you remain a member of it, the true interests of literature and liberal knowledge, I am sure, will never be forgotten. I well remember, however, that your corporation formerly possessed a due proportion of that salutary dread of innovation, I will not say reform, which has long pervaded the nation at large; and such feelings are too apt to gain instead of losing ground by time. . . .

“With sentiments of the truest respect and attachment, and with every good wish, believe me to remain,

“My Dear Sir,

“Your ever obliged and faithful,

“JOHN GARVOCK.”

Letter from John Garvock to Dr. Kerr, Aberdeen.

“HORSE GUARDS, LONDON,

“23rd February, 1819.

“Sir,—Having understood that you were the professional attendant and intimate friend of the late Professor Ogilvie, whose death I have seen announced in the public papers of this day, I venture, though an entire stranger to you, to request the favour of your making me acquainted with the circumstances of his last illness.

“I have no correspondent in Aberdeen, to whom I could look for such information, and that I should feel no ordinary interest in this melancholy event, would not surprise you, if you were aware of the unbounded kindness I experienced from Mr. Ogilvie at an early period of my life. His uniform partiality to me, for many years before I left Aberdeen, was indeed well-known to others, but myself alone could know the full extent of his goodness, and of my own obligations, the sense of which has continued to increase as I have become better able to appreciate the value of his friendship, and the unrestricted intercourse to which he admitted me. How much a young man must have been indebted to that intercourse, I need not tell you, sir, who have enjoyed his society. From him I imbibed principles and tastes, which will abide with me through life, and always prove, as they have hitherto done, their own reward.

“Thus thinking and thus feeling, you will, I am sure, allow for my anxiety on the present occasion, and I trust it will afford yourself a melancholy pleasure to give some account of your lamented friend to a person who must ever take a lively interest in every thing connected with his memory.

"Will you have the goodness to inform me, whether any portrait of Mr. Ogilvie is in existence, and how his papers, which must be numerous, are to be disposed of?"

"I remain, with much respect, sir,

"Your very faithful and obedient servant.

"JOHN GARVOCK."

Who was John Garvock? will naturally be asked. Well, it is to be hoped some representative of his will answer that question, and, perhaps, at the same time, furnish more particulars about the life and work of Professor Ogilvie.

It may be as well to answer the question about the portrait now. The photogravure at the beginning of this volume is from a miniature, by Archibald Birnie, Artist, Aberdeen, dated 1819. It was kindly lent by Mrs. Davidson, of Gordon Terrace, Inverness, Professor Ogilvie's nearest relative now living, and one of the very few surviving descendants of seven nephews and six nieces, who survived him as next-of-kin, in 1819—an instance which somehow does not square with the *multiplication table* of Malthus.

This portrait is an undoubted likeness. When shown recently to Mrs. Gibb, of Old Aberdeen, she recognised it at a first glance. "That's Professor Ogilvie," said she, "Eh! but it's like him"—and critically examining it in detail, she continued—"his hair," "his eye," "his nose," and "his ear"—"all is like him, except this"—pointing to his neckcloth. Then she explained, with a smile, that "he was generally not so braw about the neck". "You see," she added, "he was a great scholar, and was aye studying and writing, and was somewhat careless about

his dress." . On being asked if she thought the portrait was taken after death, she replied : " I don't know, but anyhow, *this is the image of the living man*". Mrs. Gibb was born in Old Aberdeen, within a bow shot of King's College, in the year 1803. She is a most intelligent person, and her faculties are still wonderfully bright. She is the only person now alive that knows anything of any consequence about Professor Ogilvie, from personal knowledge.

With regard to the important question of Professor Ogilvie's MSS.—What became of them?—It is impossible at present to say. This is to be regretted, not only on account of his famous translations of Latin authors, but also on account of his own original productions—'his contemplations and schemes for the general welfare of mankind'. The reader, doubtless, would like to see his HISTORY OF PROPERTY IN LAND—"treating more at length of the Mosaical Agrarian, considered as an economical regulation"—unearthed, and "offered to the public" (p. 25).

We may assume that many anonymous contributions from his pen appeared in periodicals, in pamphlets, and in the Press, during his life, but without his MSS. it is now difficult to trace such works with certainty to him. It is, however, the loss of his unpublished works that we deplore most. Shortly after his death, the whole of his MSS. were "*nailed up*,"—"in six or eight large boxes"—to await the return of one of his nephews, James Ogilvie Tod, an Indian Judge, who was thought to be in possession of the author's own instructions regarding their disposal. Their interment by his next-of-kin was, perhaps, justifiable in those days, but if cremation was latterly adopted, one feels very much in need of praying

for a double share of the author's own spirit of magnanimity, to be able to touch the subject with a "gentle hand". The children of that period may be excused. It was their misfortune to have been born and brought up under a reign of tyranny, bigotry, and hypocrisy.

The State Church, although based on democratic lines, approved of Braxfield's doings. It issued a "Pastoral Admonition" in 1799 against Sunday Schools, and described the teachers as "notoriously disaffected to the civil Constitution of the country". Thomas Muir had a copy of *The Rights of Man* in his possession, and this was made the principal *crime* for which he was banished. Burns, in order to escape a similar fate, had to hide his copy, and *The Age of Reason*, with the blacksmith of Dumfries. Professor Ogilvie's works would be considered more criminal than these. The man who dared to deny the divine origin of rents and tithes, and, moreover, who boldly defined them as "the improvident regulations of *human law*," and who was able to cite Moses as his authority, would, doubtless, be considered more dangerous than the renowned Thomas Paine. It was, perhaps, on this account that no lair could be found in the Aberdeen University Library for a copy of *The Rights of Property in Land*, while *The Rights of Man* did find a place in that consecrated ground. One of the books which Professor Ogilvie had beside him when he died, was the University Library copy of *The Rights of Man*; and it is not improbable that the very last stroke of his pen was employed in reviewing that book, or in revising a new work on *The Rights of Man to the Land—how lost, and how to be regained*.

The schemes of this "ingenious and accomplished recluse" pointed towards the possibility of *Paradise re-*

gained, even on this earth. He had no grudge against the Creator for having made the earth as it is. Examining human nature, he compared the happiness, health, and virtue of mankind in town and country. He declared in favour of the latter, and against monopoly in land. His "projects for the good of mankind" will stand the test of time. When *Macaulay's New Zealander* visits England, it is not the ruins of her edifices that will engage his thoughts, but her neglected fields. It is there he will read the story of her decline and fall. The roofless walls of the great London palaces of dukes and lords will not cost him one sigh. Land monopolists, he will say to himself, were also the ruin of his own country. The game is the same everywhere. A corrupt dog-in-the-manger governing class is formed, and idleness and taxes are enforced on a landless people, with the usual and consequent miseries, vices, and crimes. This lesson is being learned even in America and Australia, with their millions of acres lying waste, while thousands of men and women are starving in the large cities, and compelled to

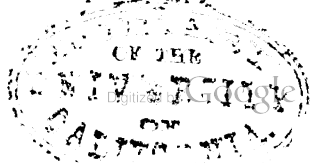
— '*beg a brother of the earth
To give them leave to toil*'.

Tasmania furnishes a striking instance of a new country ruined by landlordism. "Within five miles of Hobart is an estate that was once called the granary of Tasmania. It is now a sheep run. First came the absentee landlord, who, living 12,000 miles away, cared nothing for his estate, but to squeeze all he could out of it. Next came a landlordship of trustees, in which the very possibility of a personal interest was destroyed, and under which the estate fell into worse and worse condition, houses in ruins, fences falling to decay. Last came

the kind of landlord on whom so many pin their faith, the occupying landlord, and he swept all the farmers off the land, and turned it into a sheep walk."* The occupying owner of this kind, the rack-renter, the middleman, the large grazier, and, as in the Highlands of Scotland, the deer forest monopolist, are among the worst plagues of society. They destroy the most important of all industries, and drain the last drop of the best blood of a nation.

Ireland, Scotland, and Wales are ripe and ready for reform, but *England blocks the way* ! This is not strange. What else could be expected of a country where Church Livings may be bought and sold like the shares of a Brewery Company, and the *serving of the cure* (of souls) is done by starving curates, while idle rectors fatten on the tithes ; and where the sons of the aristocracy and the rich are educated in the great National Charity Schools of Oxford and Cambridge, and the sons of the peasantry practically excluded, notwithstanding the Christian pretensions of these public institutions. We get a near view of Professor Ogilvie's character in sections 38, 39, 40, and 59, where he deals with rents and tithes. After pointing out that an idle landlord who draws his rents, and an idle rector who draws his tithes, are both "sinecurists" and "free-booters," he gives a hint to the cure-serving parsons to make common cause with the "laborious classes". "It would not," says he, "ill become the ministers of any Church to assume the patronage of these men,

* *Pamphlet* by Mr. A. J. Ogilvie, who is himself a considerable landholder in Tasmania, and who holds similar views with his namesake of King's College, including the SINGLE TAX scheme. Landlordism he defines as "legalised robbery" ; and, with regard to Ireland, he says, "what we want is not to change the robbers, but to stop the robbery".



and to stand forth as the advocates of their natural rights and the guardians of their independence, in opposition to the opulent (duke, earl, or lord), the luxurious (upstart landholder), and the idle (ecclesiastical sinecurist), who, in too many respects, domineer over them."

The clergy are, as a general rule, bribed and corrupted by despots and politicians. Even the immaculate Joseph made the priests of Egypt his friends, by not touching their glebes, when he relieved the Egyptians of their money, cattle, horses, asses and also their land and their liberty, made Pharaoh a tyrant, and, for the first time in the world's history, invented landlordism and rent: "so the land became Pharaoh's. And, as for the people, he removed them to cities, from one end of the borders of Egypt even to the other end thereof; *only the land of the priests bought he not.*" He was an exceedingly smart *Jew*, like his father. These particulars we get from Moses, but never from the pulpit. Joseph *gathered* the corn (Gen. xli.). It is not said that he bought it. It is, however, narrated (Gen. xlvii.), that he sold it at a most extortionate *Jewish* price. He was not over scrupulous as to compensating the claims of the landlords. He did it *commercially*. For their land, and for themselves as slaves, he gave seed corn for one year's crop. Moses, with severe sarcasm, puts the following words in his mouth:—"Behold (said Joseph unto the people), *I have bought you this day, and your land*: lo, here is seed corn for you, and ye shall sow the land; and ye shall give one-fifth part of the crop to Pharaoh," your landlord, as rent.

When the *feudal* Pharaohs in other countries *relieved* the people of their land, they did not give even one year's seed corn as the price thereof. The modern Joseph is

also different: He pockets all the money he can lay hands on, and is thus guilty of swindling Pharaoh, as well as the people. In regard to the fixing of rent, old Joseph was quite a model land steward, but, unfortunately his virtue, in this respect, is never held up for imitation. The morality of expositors, somehow, cannot get beyond the charms of Potiphar's wife.

The Land Question lessons in Joseph's life, and elsewhere occurring in Holy Writ, are systematically ignored and misrepresented by the majority of the clergy. Ogilvie refers to this (p. 25). A sermon, finding fault with Joseph, in regard to slavery, extortion, and evictions, or commending him for the comparatively moderate rents he fixed, would be apt, not only to displease *The Powers that be*, but would be considered sedition and treason in some quarters. The clergy are, therefore, quite mum on the subject of all earthly things (tithes alone excepted), until there is some proposal to restore the land to the people, and then they out-lawyer the lawyers in maintaining what they call the "law of the land". They mean the *law of the landlords*. And they scruple not to hold up Moses (the Prince of Revolutionists) as a pattern of *Law and Order*! Even the Apostle Paul, who was treated as a rebel against *Law and Order* during the whole of his Christian life, is claimed as the principal godfather of "The Powers that be"! Paul had no faith in the *Divine Right* of tyrants, landlords, and magistrates. He tells us how he fled from the magistrate of Damascus (as from a tiger)—"through a window, in a basket, was I let down, and escaped his hands".

Napoleon I. utilised the clergy. He knew that his despotism could not be maintained without the powerful aid of Priestcraft. He got himself anointed by the Pope,

and made the French people adopt a portion of the *Westminster Confession of Faith*, by which (in accordance with the Decalogue, and the Gospel!!!) he became an object of worship as vicegerent of the Almighty. Britannia must not smile at Gallia. It is meet that both should pray :

“ O wad some Pow'r the giftie gie us
To see oursel's as others see us !
It wad frae monie a blunder free us
An' foolish notion :
What airs in dress an' gait wad lea'e us
And ev'n devotion ! ”

when comparing the following extracts :

NEW CATECHISM procured by Napoleon I., and established by the Pope's Bull, and an Imperial decree, for the use of the French Church, taught (1807) in every parish of the Empire.

Q. *Why are we bound to love, respect, and obey, the princes who govern us, and, in particular, Napoleon I., our Emperor?*

A. God, who creates empires, has established him our sovereign, has made him minister of His power, and His image on earth : To honour and serve our Emperor is, therefore, to honour and serve God Himself.

THE CONFESSION OF FAITH and CATECHISM, formulated by the English *Divines* of 1643, and adopted by the Scotch landlords in 1649 and 1690, as the “CONFESSION of the CHURCH of SCOTLAND”.

Q. *Who are meant by FATHER and MOTHER in the Fifth Commandment?*

A. By father and mother in the Fifth Commandment are meant, not only natural parents, but all superiors, . . . and especially such as by God's ordinance are over us in place of authority whether in family, Church, or Commonwealth.

God, the Supreme Lord

Q. Are there not particular motives which ought to attach us more strongly to Napoleon I., our Emperor?

A. Yes: for he it is whom God has raised up, . . . to re-establish the public worship of the holy religion of our fathers, . . . he has restored public order; he defends the State by his powerful arm; and is become the anointed of the Lord by the consecration which he has received from the chief Pontiff, head of the Universal Church.

Q. What are we to think of those who should fail in their duty towards the Emperor?

A. According to St. Paul the Apostle, they would resist the order established by God Himself, and would render themselves worthy of eternal damnation.

N.B.—St. Paul's Epistle being intended not for the French or British, but for the Romans, perhaps, he merely meant to say *vox populi, vox Dei*. French modesty confined the *Divine Right* solely to the Emperor.

and King of all the world, hath ordained civil magistrates to be under Him over the people, *for His own glory* (!), and the public good, and to this end hath armed them with the power of the sword.

Q. What is the honour that inferiors owe to their superiors?

A. All due reverence, . . . *imitation of their virtues and graces* (!), willing obedience, . . . due submission, . . . maintenance of their person and authority, . . . and so to preserve that authority which God hath put upon them. . . . For there is no power but of God: THE POWERS THAT BE are ordained of God: whosoever, therefore, resisteth the power resisteth the ordinance of God: and they that resist shall receive to themselves damnation.

N.B.—The poor Scots are still kept in childish ignorance in regard to the origin and object of this *Divine Right of Landlords' Code*, which was procured by the Duke of Lauderdale, and other favourites of Charles II!

Here we have a life portrait of Napoleon, painted by himself, with the Pope, and the bishops, priests, and people of France, represented as acting that most horrible play, "The Restoration" (*à la Française !*) of the Divine Right of Kings.

In the companion picture, we can study the relation between the English divines (of Westminster) and the Scotch landlords. It is significant to note that the latter, in Parliament assembled, on 5th February, 1649, proclaimed Charles II. King and Pope of Scotland; and, two days thereafter, they adopted this English *Confession* and *Catechism*—this weapon of extortion and eviction—this device by which the *Divine Right of Landlords* has been made an article of the *Christian Faith* in Scotland. The clergy got a little bribe at this time. The landlords gave up Church Patronage. But the Merry Monarch restored this *Divine Right* to the landlords after he was made King, Pope, and god of England. Again, and accompanied with the very same bribe,* the Scotch landlords, in 1690, re-adopted this *English Confession* and *Catechism*, as the "*Confession of the Church of Scotland*". The English had a Revolution in 1688, and one can easily see why the landlords of Scotland resorted to this ecclesiastical dodge of humbugging the people. The clergy were made to subscribe this Confession, and if they did not preach up to it, they perjured their souls. The Confession enjoined that the '*Powers* are ordained of God,' and that the "virtues and graces" of Charles II., George IV., and the absentee landlords, described in

* In 1712, there was another shuttle-cock restoration of Church Patronage, after which the landlords held it until 1874, when the author of *Coningsby* allowed them £250,000, in name of "sacrilegious spoil," for once more relinquishing their "unhallowed booty"!

The Twa Dogs, are to be imitated by the people ! It is impossible to estimate the amount of evil wrought in Scotland by this document. One advantage, however, may be mentioned. It has taught the Scots to out-English the English in some respects. It is not within the scope of the XXXIX. ARTICLES to produce one "Holy Willie". Hence the fame of the fatherland of the right honourable inventor of that instrument of *Law and Order*—the BALFOURING-RAM, now used by "*The Powers that be*" in Ireland, "*by God's ordinances, for His own glory and the public good*" !

Benjamin Disraeli knew fully as well as Napoleon I., or Henry VIII., how to work the oracle. He made the following honest and open confession:—"In considering," says he, "the Tory scheme, the author recognised in the CHURCH the most powerful agent in the previous development of England, and the most efficient means of, that renovation of the national spirit at which *he aimed*" ! "The Church," *he adds characteristically*, "is a sacred corporation for the promulgation and maintenance in Europe of certain Asian principles(!), which, although local in their birth, are of divine origin, and of universal and eternal application."

This confession is recorded in his *Preface to Coningsby*, in May, 1849. Disraeli *educated his party*. This is what he said as far back as 1844, when referring to the landholders as *freebooters* :—"It is in the plunder of the Church that we must seek for the primary cause of our political exclusion and our commercial restraint. That unhallowed booty created a factitious aristocracy, ever fearful that they might be called upon to regorge their sacrilegious spoil. To prevent this, they took refuge in political religionism ; and, paltering with the dis-

turbed consciences, or the pious fantasies of a portion of the people, they organised them into religious sects. These became the unconscious Prætorians of their ill-gotten domains. At the heads of these religionists, they (the landlords) have continued ever since to govern, or powerfully to influence, this country. They have in that time pulled down thrones and churches, changed dynasties, abrogated and re-modelled Parliaments; they have disfranchised Scotland and confiscated Ireland.*

This is a peep into *The Holy of Holies* of British landlordism! We plainly see how and why *they* "govern" these three countries. The landlords (who, according to Ogilvie, merely hold the land in trust for the people) have not only misapplied and appropriated trust funds, but they have developed a dangerous disposition for devouring their own species. The trusted leader has become the robber of his own tribe—he blackmails them, or sells them for a slump sum to a foreign freebooter. It is the right to blackmail, to evict, and to "govern" that he sells. Land *minus* human flesh is of no value to the *commercial tiger*.† The clergy act as jackals, vultures, or dumb dogs, instead of 'standing forth as the advocates of Natural Rights and the guardians of Independence'. The masses are befooled and enslaved; they are robbed of their birthright; they become mean-spirited and servile; they are "organised into religious sects"—"organised hypocrisy"! When we see the landlords, or their tools, patronising and organising 'at the heads of *any* religionists,' we know that these

* *Coningsby* II., 1.

† See Professor Huxley, on the "Natural Rights of Tigers," in *Nineteenth Century* for January and February, 1890.

religionists are blindly led—they follow their “heads,” don’t they?

In the good old times (as in Russia of to-day), priestcraft coercion, and political corruption marched hand in hand. Coercion, however, naturally produces dissent, but, sad to say, the most “respectable body of dissidents” seldom withstand the allurements of corruption and bribery. Their clergy, as a rule, kneel before the golden image, and hanker after the fleshpots which every diplomatic tyrant provides. Do we know many of the dissenting clergy who have thought “proper to avow and inculcate principles of civil policy and justice, favourable to the rights of the lower classes, and to the independence of cultivation”? Have they not almost all come to this—“brought disgrace in the first place, and final disappointment in the end, on schemes wisely conceived or bravely undertaken for restoring the rights of mankind”? A State Church invariably acts as a bond-maid to the “Powers that be”—to landlordism. On the other hand, a dissenting Church, too often, in her struggle for existence, degenerates into a paid mistress, who is by no means shy of landlords or other mammonists, and who not unfrequently succeeds in outvying her *established* rival.

Let us compare the above vivid passages from Mr. Disraeli’s pen, with the prophetic hints recorded in the 59th Section of Professor Ogilvie’s *Essay*. Reading both authors between the lines, we find that landlordism is maintained and perpetuated by religionism.

In 1844 Mr. Disraeli was evidently a formidable Land Leaguer, but, owing to the worship of landlordism by *all* “sects” of “religionists” at that time, he was powerless. Even a “respectable body of dissidents” like the newly-

instituted democratic *Free Church of Scotland*, although the undoubted offspring of a revolt against a "factitious aristocracy," would not give him the least support. No wonder he, in 1849, when famine and eviction were doing their cruel work in Ireland and Scotland, "recognised in the Church the most powerful agent" of landlordism! The clergy then declared that famine and eviction were "visitations from God, sent, as trials on the Faith of His own people"! The poor people—*poor devils*—"believed and trembled"! The *League* between religionists and landlords was a powerful one. Mr. Disraeli had to conceal his innate Radical principles under a "Tory scheme"! He was forced to "recognise in the Church the most efficient means of that renovation of the *national* spirit at which he aimed"! He, however, hoodwinked the Church: she gave her milk the moment he covered his Radicalism with the skin of the *Golden Calf*! He "dished the Whigs"! He Radicalised the Tories—he "*educated his party*"!!!

We know with what success he afterwards played the Church card. That it was necessary to play the Public-house card along with it, only proves that "certain Asian principles" were growing less powerful, and that the notion of their "divine origin" required to be supported by something more tangible than "the extravagances of enthusiasm or superstition," referred to by Professor Ogilvie.

Professor Ogilvie also recognised the vast influence of the Church, and tried to enlist the clergy in favour of his "Tory scheme"!—"that sort of correspondence and co-operation which might be denominated an alliance between the Church and the Plough". He warned the clergy, "*for their own safety*," to "attach themselves more

particularly to the inferior and laborious classes of men"; for, says he, "it may be apprehended that a crisis of great danger to their (the clergy's) temporal rights and privileges cannot be far distant". Now, if this warning proved true when the *Landed Gentry* and clergy of France came to grief in 1789, it should not be scornfully disregarded in this scientific age of Prove-all-things.

The higher education of the mothers of the coming race will, it is to be hoped, grapple superstition by the throat, and the favoured religion of the future will adopt a "very liberal policy with regard to the general interests of mankind". Woman, instead of being doomed to ignorance and slavery, will then be educated and trained to exercise her divine instinct—maternal affection—and, with the courage of a human mother, and using her reason as God's special gift to mankind, she will bestir herself in claiming and maintaining the birthright of her children in regard to all the productive forces of nature. The contract of marriage will be sanctified. As a corollary to its main object, its chief provision will be—"That every *child* has a right to an equal share of the soil". All marriages which do not conform to this maxim of Natural Law will be considered immoral; being merely for the gratification of animal lust, and the reproduction of human slaves. The clergyman officiating at such marriages, where the intending parents are not warned against the unnatural sin of disregarding the welfare and happiness involved in the birthright of their children, will be spotted as a most immoral person. Real wedlock will not be regarded as a "bond," but rather as the source and fountain of love and liberty. Sons and daughters will be born free. And as they come forth from the womb of Nature, they, each and all of them, will be acknowledged

to be the children of the same Almighty and Impartial father, and therefore entitled to an equal share of His property, mother earth. This doctrine is the aim and end of the gospel of Jesus. It contains a rational notion of a HEAVENLY FATHER—otherwise what can his earthly child say ?

“ If I’m design’d yon lordling’s slave,
By Nature’s law design’d,
Why was an independent wish
E’er planted in my mind ? ”

Priests or clergymen, whether Pagan, Jew, or Christian, invariably hold themselves out as the heaven-sent guardians of the multiplying instincts of mankind. They also promulgate the decree of the Heavenly Father in favour of “His children”—the divine Homestead Law—“replenish the earth”; and yet, with few exceptions, they act as the instruments by which these children are robbed of their birthright, denied any share in the earth, and treated as intruders and bastards—thus implying a direct charge of unchastity against mothers and fathers alike. But priestcraft goes further: It teaches that land and wealth were given to certain individuals in this world, because they were predestinated for “another place” in the next! And, conversely, that the landless poor were predestinated for heaven, as a compensation for the flagrant injustice they patiently suffer in this world, and, therefore, that they ought to be content, and rather have pity on the *poor* rich! But modern theology has created some “philosophic doubts” regarding this predestination of “the greatest happiness of the greatest number”! Somehow the rich may, after all, by a *Plan of Salvation*, get into heaven, if they will *only* “believe” that they are blessed with land and wealth in this world in order to

justify their foreordained future in the next, and that the poor, who, through ignorance or otherwise, fail to believe in this *plan*, shall be disappointed in both worlds !

Such is the doctrine manifested in the last Roman *Rescript*, procured by Irish landlord diplomacy in favour of Lord Salisbury's coercion scheme. But all true Christians, Catholics and Protestants alike, *protested*; and only the false and the weak conformed to it. We must not, however, be too hard on the anti-Protestants. The landlord-ridden Free Church clergyman of Strathconon is not entirely to blame for the adoption of that *Rescript* by himself and the small unevicted remnant of human inhabitants in that strath. Mr. Arthur James Balfour, Chief Secretary to his uncle, author of *Philosophic Doubts*, and lecturer (by "divine" appointment) on *Practical Christianity*, is the landholder of Strathconon. According to

THE CHRONICLE OF STRATHCONON :

"Mr. Palfloor is a ferry kindly shentleman, and ferry goot to the Lord, for he kives ferry largely efery year to the *Free Church Sustentation Fund*, and he puilt the Free Manse all out of his own pocket, which was petter than many a one has done. And he kives a cow's krass and a pony's krass to the Minister, and he does many other godly things pesides, and he is not too pig of himself to speak to the Minister whatefer. And he is not like other wicked landlords who refused to kive a stance to puild a Free Church, where the servants of the Lord had to preach in poats, and on the sea shore, when triffen away from the hillsides, where the disturbance to the kame, tear, or sheep was ferry little whatefer.

"And it was these pad landlords—themselves and the Teffil together—that kindled the Highland Crofters to so much wicked 'agitation' in recent years, until, like the foolish

Galatians, they were bewitched by ungodly Land Leaguers about more land, fair rents, and other worldly affairs, instead of always minding the salvation of their souls. And instead of attending prayer meetings and sermons, they follow after false prophets like Henry George, going to Land League meetings, and packsliding ferry fast to the old wickedness of the pagpipes, and worldly songs of many ungodly poets like Burns, who was a Kauger, and a ferry pad man when he was alive, and more so after he was tead. For his sinful song-book is still read out of sight in many places, which has a ferry 'unsettling tendency' for putting the poor against the gentry and the clergy, and making them forsake the *Confession of Faith*, which commands them to avoid all appearance of evil. And, moreover, to do honour to the landlords, and the ceevil magistrate, and especially to such a shentleman as Mr. Palfour. For he is ferry strong on the side of the Lord in Ireland; pattling so pravelly against popery, and trying to pring that 'papist' Mr. Parnell and his rebellious crew to a shust repentance. And he is also trying to pring pack the lost sheep who hafe gone astray, by following Mr. Gladstone, who was always a ferry tangerous man whatefer; ferry nearly as pad as Professor Robertson Smith of Aberdeen, who wickedly said that Moses could not write a portion of Scripture after he was tead. And thus proke he the *Confession of Faith*—pehaving no petter than the ungodly 'moderate' Ministers in the Highlands, who traw the tithe steepends from the landlords although they have no congregations whatefer; and who, as if they were porn shentlemen, enjoy their klebes, and their manses, and their steepends, and leave all the work of the Lord on the shoulders of the poor Free Church Ministers, who have had to keep up the panner of the Lord in the Highlands on ferry little pay, and ferry great hardships, since 1843.

"And, in some places, with ferry sore temptations; for, where the tyrants were like Pharaoh, it was ferry tifficult not to rise like Moses against them. Putt the gospel according to the

Apostle Paul, as laid town in the *Confession of Faith*, must be obeyed whatefer. And people who came into this world to suffer, must suffer whatefer. And pad landlords, and unfair rents, and evictions, and even slafery, are all ferry useful, in their own way, for illustrating the doctrines of the Pible; and for making the poor gif up all the joys of this world, and for putting their affections on things apove; so as to withstand all sorts of trials on their faith, even as Abraham tid, who was quite willing to offer up his son Isaac. And that was a far pigger test of faith than all that the Land Leaguers say about the Strathconon and other Highland evictions whatefer; altho' these were ferry sore trials, which were sent from God, because these evicted Highlanders were His own chosen people, and He could do with them what He liked; and as vessels of clay they had to pass through the fiery oven of oppression; and they are now in glory with Abraham. But Oich! Hoich!! where will the Land Leaguers, and 'Agitators,' and Purns, and Henry George, and Parnell, and poor Gladstone if he toes not repent, go to? There will be plenty of primstone, and weeping and wailing, and knashing of teeth in that place whatefer, and they will get more than plenty of Home Rule from the Teffil, for all eternity, and for efer and efer Amen! For the Teffil was the first Home Ruler, and the first rebel, when he rebelled against God. And it is the Teffil that is now stirring up the people in Ireland and in the Highlands against the '*Powers that be,*' which '*are ordained of God,*' as laid down ferry clearly in the *Confession of Faith*, which efery godly man is pound to sign, and carry out in his walk and conversation in this world, for there is here no continuing city whatefer.

"The Providence of God is ferry strange, for the rich are not always ferry happy in this world. King David and King Solomon were not ferry happy whatefer. And Mr. Palfloor is not ferry happy neither, for we know the ferry sore plow to his heart that he got when he saw that the carriage trive he made

for joining Strathconon to the Ashpurton estate was of no effect whatefer. And all this shows ferry clearly what pig fools the Crofters and the Irish are, when they pelieve what these ungodly Agitators tell them about *fixity of tenure, fair rents, and free sale*, for when kings and the gentry cannot be happy in this world with all their lands and money, how can the poor be happy, supposing they got all the land tived among themselves to-morrow? And who is to rule over them, if the gentry was apolished? They would just pegin at once to kill each other as they tid in America apout slafery when they apolished it, which was also against the *Confession of Faith* whatefer. For we are told that Abraham had plenty of slafes, and that God only asked him to circumcise them, which was ferry clearly in favour of the paptizing of all the slafes in America, and kiving them the kospel, but no more whatefer. And that's where the Americans made a kreat mistake; and they were justly punished by the war which God sent upon them. For the freedom of slafes learns them to pe disobedient to their masters, and to preak and spend the holy sabbath as they like, which is all ferry clearly against the *Confession of Faith*.

"And there is no use saying more apout it whatefer, for there were always gentry and landlords and rulers and masters in this world, all by God's authority, for not even one sparrow can rise or fall without His Providence whatefer, and that must continue to pe to the end of time, for what *was*, must pe *is*, and the *is* of to-day will surely become the *was* of to-morrow, and so on, from *was* to *is*, and from *is* to *was*, to the last tay, when the Revelation of John comes to pass; and there shall pe no other future but *that* in this world whatefer. Putt there pe some infidels and radicals and other unpelievers, who tont pelieve in nothing—not even in the Teffil, or in Providence, not to speak of witches. Now, there were ferry many witches in the past, and there are some yet, although they stopped purning them, and there must pe many witches in Ireland now whatefer! The nuns and priests are all a sort of witches, for

they carry on a kreat work with purgatory. The Irish Police must pe real witches too, for they ko apout as shadows, and one of them followed a minister all the way from Ireland to Dundee, although Mr. Palfoor could not see through it, which shows ferry clearly how the Teffil is ferry hard at work in Ireland whatefer. It must pe equally clear that it was some witch that prought a new suit of clothes to the wicked O'Brien through the keyhole of the prison. And they should purn all these witches in Ireland whatefer, for there is no use putting them in prison, and there is no use shooting at them, for the pullets ko round a corner and kill innocent people, as was tone at Mitchelstown, which ferry nearly kot Mr. Palfoor into a scrape, when the witches were to plame, for he is a ferry quiet shentleman whatefer. Or may pe the *Curse of Strathconon* had something to do with many of his misfortunes in Ireland, as some of the old people here really pelieve. For Providence is a ferry strange thing in visiting the iniquity of the fathers upon the sons and more generations pesides, and that is often ferry clearly to pe seen with regard to evictions.

"Now, there are two kinds of curses: There pe the wicked curses of witches; and also the just curses of the poor, uttered against oppressors, which are always hereditary, and sometimes everlasting too. And if Mr. Palfoor had peen prought up here he would know this, and the reason he had such *Philosophic Toubts* is pecause he was prought up—in England—where the people are ferry ignorant of many things, which they ought to know. For the English Episcopalians do not preach the Pible according to the *Confession of Faith*, although it was made in their own church at Westminster, and that by far petter tivines than any of their Pishops of to-day whatefer. And Mr. Palfoor's education was ferry much neglected whatefer. And he showed ferry great ignorance apout the *Crofters' Act*, and it went against him of course, and he was inclined to laugh at other things pesides predestination and witches, although these form a part of the Truth whatefer.

"With regard to witches, my krandfather remembered the year 1722, when he was a poy, seeing a female witch dragged after the tail of a horse all the way from Assynt at the west shore, to Dornoch at the east shore of Scotland, where she was purnt with a parrel of tar and sticks, and he heard her roaring like a wild peast until she at last went up in a flame. There was also another female witch in Assynt, after that, called '*Mor Bhan*'. And for pewitching the Minister's coo, the people themselves, without any trial at Dornoch, on a sabbath evening after coming out of the sermon, strangled her in her own house with a rope which they pulled from the outside through the *feadan*, until she was as tead as a herrin. Putt she managed to trown efery one of those who pulled the rope, by a fearful storm, the first time they afterwards went to sea in their poats. And all this is quite true whatefer. It is also true that *Mor Bhan* was the mother of a distinguished officer in one of the continental armies, at the time of Waterloo, and he inquired of the Assynt soldiers apout her death.

"Now, if the Irish priests pe in league with the Teffil, as I pelieve they are, and are therefore under his power shust like witches, what was the sense of his uncle sending such a young man as Mr. Palfloor to Ireland whatefer? Putt pesides witchcraft—which means the same thing as priestcraft—how could a young man of no experience like him, pe able to teal with a country that is full of pachelor clergy, as all the priests are? These priests are "passing rich on £40 a year," and need not cringe to the landlords whatefer. For, you see, there was only one agitator minister in the Isle of Skye, and *he was a pachelor*; and although he was a *Moderate*, the Free Church people got ferry fond of him, for he preached nothing but Land League toctrines in the pulpit, as well as at Land League meetings. And although he was taken up py the *Moderate Presbytery* of Skye, and very smartly tealt with, and also put in prison in Portree by Mr. Palfloor, who was managing the affair for his uncle and the landlords at the time, in November, 1886, still

that pachelor minister went on, and tid a kreat teal of harm, for his name is Tonal MacCallum ; and he removed to the island of Tiree after leaving Skye, and he is now a *Moderate* Minister in the island of Lewis. And *Free Churchmen* helped to vote him into a ferry goot Parish Klebe and steepend there.

“ And he carried with him the agitation wherefer he went, and policemen and marines were sent to Tiree and Lewis, as well as to Skye, where the mischief at first pegan. And these marines tid no good against the agitation whatefer ; but they encouraged it ferry much, and they were ferry friendly with the people, and they tanced and had singing concerts with the taughters of the crofters, and they proke the sabbath in many ways, which was a ferry bad example to the Highland people, and a tigrace to Scotland as well. And it was not ferry goot *Law and Order* to preak the Law of God whatefer.

“ Put there is another kreat tanger. Look at the unholy traffic which his uncle had with the Pope in procuring that *Rescript*. Look how the Pope hooked the Irish Orangemen, and the English and Scotch Tories, and the Unionists pesides, and some of the Free Church not ferry far away too, and tid not lose one single papist in Ireland off his old Roman hooks, which are all ferry well parped whatefer. And it is the Pope himself that laughed in his pig sleeve at getting a hold of the Orangemen in that way. Putt it is a ferry kreat tanger to the Protestant religion, if he has kot a hold of England too, and if so, we hafe to thank the uncle of Mr. Palfloor for that whatefer. He went to Rome to catch the Pope, which was ferry much like a fly koing to catch a spider, and there he is ! And poor Mr. Palfloor and other Tories hafe kot their feet in the net too and must remain fast until a shange of kovernment will set eferypody free, excepting the unhappy Unionists who were caught by the necks, and these will be quite strangled whatefer. This is what the agitators say ! And they also say that the Unionist net was put round many Liberals when they were asleep, and only those, like Sir George Trevelyan, who had

some radical strength in themselves, were able to break loose when they awoke; put those who are weak, and especially those that have a *great weakness for Duchesses* (!) are hopeless victims, and even the *Primrose Convalescent Hospital*, which had such a good effect on Lord Salisbury in Edinburgh, will not do *them* any good whatever!

"These are only a few of the evils of the agitation, for I have said nothing about the sufferings of Lord MacTonal in Skye, for want of his rents; or Lady Matheson in Lewis, for want of her rents; and many others, over and above the Duke of Argyll himself, who is a very good man whatever, for he is the President of the *Society for Propagating Christian Knowledge* in all Scotland, and the books that he circulates in the Highlands are not like Burns, or Shakespeare, or Carlyle, or Henry George, but they are all very safe books for the people to read. The Bible itself being the only one which requires to be explained away in some difficult passages by the ministers who are able to do so: it being impossible for priests and parsonage clergy to understand these passages whatever, for they are no better than Luther was when he was a parsonage priest, as they only see the difficulties of this world from a distance as Moses saw the land of Canaan. Put the servants of the Lord have great afflictions, they have often very large families. And a minister, with a wife and may be twelve or more children, is always struggling like a boat in a storm, running for the shore. And when God sends help to him by the landlords, or other gentry, he thanks God for that, but he must not rise in agitation against the hands or stewards of Providence that do him good whatever.

"A little steepend will do very well for a single man, and that's the reason that priests and parsonage ministers can afford to join the Land Leaguers, for they are all right if they get a little cream for their tea from a neighbour, which is quite easy whatever. Put, as I was saying, what can these parsonages understand about keeping a wife, and getting food, and clothes, and

shoes, and pooks, and education, for a houseful of children? And on the same money too, which a pachelor minister or priest is allowed to spend on himself, not to speak of kiving college education to the poyes, and sending the kirls to normal schools, and then ketting situations for them after that.

“It is not at all easy for a married minister who has a large family, and only a small steepend, to pe a Land Leaguer, for you see the competition for situations is now so ferry fearful, that, unless one has a letter of recommendation from a landlord, or one of the gentry, it is impossible to get into any post of any kind whatefer, or into a shop or office in Glasgow or Edinburgh or London, or any goot post aproad. And this kreat tifficulty of ketting situations for the sons of the clergy has increased ferry much since learning was opened up to the sons of the crofters and fishermen and even weavers, who are now allowed to attend and take pursaries at the Scotch Universities, which was at one time the exclusive privilege of the sons of the gentry, and clergy, and pig farmers. This privilege must have pegan to pe confiscated pefore the end of last century, for I heard my krandfather speak ferry often apout Ewen MacLachlan taking the first pursary in Aberdeen University, and being allowed to enter as a student there, and him only a weaver’s son from Lochaber. This was a ferry kreat innovation at the time. And he pecame a ferry learned man, and was made Rector of the Krammar School at Old Aberdeen. Putt the Inverness *gentry* refused to appoint him Rector of their Academy, because he was a poor man’s son. And it was said that he was learned enough to pe a Professor in a University, but which he tid not ket, for the same reason, and also, perhaps, because he was a bard, and, may pe, too clever as a scholar for the other professors, especially in the Greek, for the King’s College professors knew ferry little Greek whatefer.

“Putt as they were generally chosen from the clergy, they were always ferry good at theology, as may pe seen in many parts of Scotland to this day; especially in the Highlands, where we

have been able to keep the people from reading such radical and infidel books as Burns, and Carlyle, and Shakespeare, and from singing their own traditional Gaelic songs too, and to confine them to the Psalms, and the Bible, and John Bunyan, and some sermon books, and also the *Confession of Faith* and the *Catechisms*, all of which they must not understand except through the ministers, or through *The men* appointed by *The Society for Propagating Christian Knowledge*, or by the Free Church. And *The men* were all very safe teachers and kept down all agitation, for they never would discourse about any happiness except heaven and eternity, and they would not speak about any Land League affairs, or read any of Ossian, or Burns whatever, or sing any Gaelic songs, or listen to the music of the bagpipes, or fiddles, or organs, for £100 sterling. *The men* are now getting very seldom, and the purdens and difficulties of the ministers are daily increasing whatever.

“In the olden time, when wars were always plentiful, and fighting men much required by the landlords, the assistance of the clergy for enlisting was necessary whatever; and it was then that they could very easily get posts for their sons, in return for such assistance. And when the recruiting officers came round, there was always a chance of getting one of the daughters enlisted too! for the girls are very fond of joining the army whatever! And the minister whose daughter got puckled with a red-coat officer was sure to procure plenty of recruits, so as to earn promotion for his son-in-law! and he would then pray more fervently for *our King and country* whatever, and against *our enemies*.

“Plenty of enemies were always made in those days, to keep the wars going, in order to maintain the price of grain at a shenteel figure, so that there would be no risk of the rents of land falling whatever! For you see the ministers’ steepends would fall too, if the price of grain came down, making the value of two or three chalders not equal to the old price of one, and thus the gentry and clergy being in the same boat, you see, would

sink together. And the poor, who are always poor, would not be a bit the better whatever, but on the contrary, much worse, because the gentry and the clergy would be less able to give them the usual *charity*! And it is here one can see very clearly, the wickedness of the repeal of the *Corn Laws*, which have a great blow to *charity*, and other forms of holiness!

"This *innovation* about the *Corn Laws* led to Poor Rates and Poor Houses, which is no charity whatever. It also led on to School Rates, and compulsory Education, and Radical School Boards in every Parish. We are now going on to Free Education all round, with large grants from Government, and, no doubt, the Universities will be further spoiled by converting them into huge National Schools, with their libraries, museums, and everything thrown open to the Public; and all the Professors made to teach, not only the sons, but also the daughters of the people at large, which will destroy very much the educational status of the *gentry* whatever.

"Indeed, if the Radicals get much more of their own way they will pass an Act of Parliament for having every body born into the world with equal rights to everything, and even the most sacred rights which the landlords have to the land will be *controverted*! and all rents, and, may be, all tithes too, *confiscated*—among the community at large.

"There is no doubt these things are coming fast, for the young clergy are beginning to be very radical whatever, and they now lay great stress on the words: *That God is no respecter of persons*, and such like Bible texts, without modifying them in any way by the *Confession of Faith*. And, in like manner, they fix upon the words *Thy Kingdom come: Thy Will be done ON THE EARTH, as it is in heaven*. For, you see, there will be no landlords there whatever! Now, this is a great *innovation*! as the old ministers were always very careful not to meddle much with the "earth," and the rights of the landlords therein, for fear of breaking their vows under the *Confession of Faith*, which enjoined full obedience and subserviency to the landlords, on the

part of the common people whatefer. But landlords are now fairly secularised, by the Patronage Act of 1874, and are no longer the *patrons* of religion they once were ; and that peing so, who can tell what may come to pass within a few years ? Perhaps, even the Free Church minister of Strathconon may pe seen joining in a *teer raid* before long ! For the clergy must follow the people in these temocratic fays, because the people have all *patronage* whatefer ; and we see that ferry clearly, when *Free Churchmen* in Lewis exercised the *moderate* franchise py voting for that Land-Leaguer The Rev. Tonal MacCallum, and made him Parish Minister in spite of the landlords, and of the Moderate Presbytery too, all py the Act of 1874, which is a ferry radical Act whatefer.

“ And it is only now, that the people at large are finding out that the *Established Church* pelongs to themselves, as citizens, and can pe ruled py them as they rule and manage the School Boards, and that it must not pe used any longer as the pulwark or fortification of landlordism, as in the past. It is the wicked *Land Leaguers* that are to plame for kiving such tangerous knowledge to the people, for the ‘ agitation ’ has stirred them up to make inquiry apout *all* their rights ; and the *Free Church* which stood up for the apolition of Church-lordism in 1843, is put into a strange fix as to the apolition of land-lordism now. The *Free Church* is in kreat tanger whatefer—all caused py that *Primrose Leaguer*, Lord Beaconsfield, who passed that Radical Act of 1874.

“ The changes that are now taking place are ferry extraordinary, when we consider how the landed gentry and the clergy worked hand in hand in times of old. Things were not so hard on the clergy even in more recent times, as they are now. And I’ll tell you apout that. My wife is a Minister’s taughter, and her father and mother were going to elope, putt to prevent such a scandal the Laird kave him a presentation of the Parish Church, and he was at once appointed assistant and successor to the old Minister. My wife’s mother happened to

pe a natural taughter of the Laird himself, and she used to say that if she had been porn a poy she would have had a Commission in the Army, instead of becoming a Minister's wife. How strange Providence is! especially when there's a woman mixed up with it, which is ferry often the case; for I'm sure that my wife has been ferry much mixed up with my own Providence in this world, although I was nefer so lucky as to get a church and a wife by the one stroke.

"Well, my wife's father's family was ferry little trouple to him whatefer, for they kot education and situations ferry easily in those tays. And one of them, named Angus, who did not care apout college education, went to Australia, and kot on ferry well, and has thirty thousand sheep—he and another who was only a Crofter's son here. And they hafe more land between them there than the Tuke of Sutherland has here. He was home the other year, and he is a terrible Land Leaguer. He said that the Crofters and the people were kreat fools to leave the land with the Tuke of Sutherland or any other landlord whatefer. He said that before the *Crofters' Act* was passed, and nopody pelieved him then whatefer, except the agitators, who took for Kospel efery word he said.

"That was shortly after the Tuke was made a cat's-paw by London Jews, who lent him apout a million sterling at 3 per cent. *on the security of his lands*; to pe kiven py him to Turkey's King *on no security whatefer*, on the expectation of 7 or 8 per cent. interest. And this was the reason that the Tuke turned such a terriple Turkophil Tory. He has still to pay the interest to these Jews, and the money he sank in Turkish ponds will nefer rise whatefer! And that's the gate the pulk of the land rents go now, to keep up Turks, who hafe many wives, or to feed London Jews, who are no petter whatefer. Some say a good teal of the Sutherland rents are paid to the *Free Church* for the interest of £100,000 sterling which, it is said, the Tuke porrowed from the *Free Church*, to settle with some of these London Jews, who were afraid of the Highland

agitators, and therefore called up some of their loans. This was a Judas tesign to ket the *Free Church* financially interested, so as to keep toun the land agitation whatefer. Putt as the agitators look upon all lenders to landlords as enemies and oppressors, there is a kreat fear at present apout the money lent to landlords by the *Free Church*, as she may loose the people and the money too; unless Principal Rainy, who is a ferry cute man, changes these investments into something else, such as the improvement of land, and making harbours, and railways, and mills, or any public thing for the goot of the people, instead of kiving the money to landlords, who hafe too much money to spend on mischief already. This is what Angus used to say! He also suspected that the Pope and his Pishops, who are ferry rich in money, must be also inveigled in landlordism and ponds. The English Pishops, he called them out and out landlords themselves. And as for poor English curates, and poor Irish priests, he considered them quite as innocent and as ignorant of the mischief as private soldiers are of the causes of war. Angus was a kreat Radical, although he was a minister's son.

“The old Minister himself was also a ferry intependent man, and though he was ferry old in '43, *he came out*. And his wife was ferry manly too, and she would rather live in a parn than be under the patronage of the landlords after her own father lost the land, and the whole affair was managed by pondholders, lawyers, and trustees, for you know what sort of a Minister they would put in after her husband would tie. It would be the one that would pay them the most money, and they would not care apout preventing an elopement or any other scandal whatefer. Putt you see how different Providence worked with the old lairds.

“There was another curious thing: There was the woman who was the mother of my wife's mother, you know. Well, you understand, the laird was a ferry kind-hearted man, and tid not put her away empty whatefer. And with the money he

kave her she married a shepherd, who was a sort of an Englishman, prought here to set agoing the sheep-farming, for they were just evicting the Highlanders on account of the sheep craze at the time. Well, she and this shepherd kot a whole desolated klen as a *tack* to themselves, and all the hills apout besides. And they made thousands of money, and were able to take more *tacks* for their sons—all made of the lands from which the Highlanders were evicted. And some of their tescendants are the piggest *tacksmen* to-day in the whole Highlands, and hafe plenty of money yet, although they lost a lot of it on sheep not long ago. And the tescendants of the laird who kave the first money to their kreat-krandmother are now quite empty. Putt still money is not everything, for they hafe no gentle plood in them as my wife has, and for that reason my wife and her relatives ton't like to mix with them whatefer, and especially because they are not a true preed, putt only a ferry pad Sassenach mongrel cross. And, moreofer, they must hafe some of the eviction curses on them pesides. And there is no toubt the *agitation*, and the *Crofters' Act*, and also the *tear forest craze*—Winans, you know!—is all ferry much against them, for something was sure to catch them apout the third and fourth generation.

“And here we see how ferry strange the Providence of God works. For, there was so much cruelty and oppression tone at that time to thousands, who were evicted ; and God—who is always a ferry just God, howefer difficult He is sometimes to understand—saw it just, and—as it were—more expedient, and even more merciful, to distripute the punishment among the tescendants of the men who tid, or helped to do, that mischief. For how could God make full justice to the thousands who were oppressed, and whose tescendants also suffered, if he wasn't to extend the punishment to the tescendants of the oppressors whatefer? And this is the way God paffles all the philosophers, who turn their packs upon theology, when they try to understand things which they cannot understand ! They

ko entirely upon *reason*, and they are men of *ferry little faith* whatefer ! And all these philosophers are ferry foolish and ferry plind, for they ton't see when a person kills the *chicken* of a rat, or fox, not many months old, and not guilty of any mischief whatefer, that it is for the iniquities of the parents that such *innocents* are killed, and also because they have the same plood and the same mischief in them too. Putt there is no word about this, when the *philosophers*, as they call themselves, are criticising the justice and wistom of God when He takes a young *rat* or a young *fox* in hand. And that's the way they tont understand, for they are ferry plind whatefer.

"Now, there was a ferry special curse put on the Palfoors at the time of the Strathconon evictions. And Lady Ashpurton, who is a Mackenzie and a ferry godly woman pesides, pelieves it all, and ferry likely that's the real reason and not because he has no tittle, that she would not have anything to do with Mr. Palfoor as a son-in-law. It was said that the taughter herself was nearly as fond of him as he was of her, and he was ferry fond of her whatefer, for she was peautiful to see, and she had apout £60,000 a year pesides. Now what was the reason that poor Mr. Palfoor lost that prize ? Don't you see clearly it was shust the *Curse of Strathconon*. For it was the fear of *that curse* that put the girl's mother so much against the marriage. Now, is that not a terrible Providence ? It is moreofer ferry tifficult to understand, for you see the loss of that prize to Mr. Palfoor was a kreat loss to the *Free Church* too, for he could have kiven much larglier to the *Sustentation Fund* if he had not lost it.

"Putt poor Mr. Palfoor toes not understand apout these things, for he was prought up in a country where they kave up the *Confession of Faith*, and where they have only *thirty-nine Articles* ! and he is shust as ignorant as his uncle ! And the radical papers are not ferry far wrong when they say that it is shust a case of the plind leading the plind. For, you see, what plunders Mr. Palfoor tid when he was *man-hunting* in the Isle of Skye ;—prisoning men, and also poor women—one of

them peeing dragged by the Police across moors ferry shortly after child-bed, carrying her newly born child until she nearly fell dead on the way. Many other insulting things were done to provoke the people to a rebellion, so as to shustify the sending of Police and Marines there. Shust think of the pointing of a Crofter's pappy by a sheriff officer, who valued the pappy at only one sixpence! and, pointed a collie dog puppie which was lying aside the pappy's cradle at one shilling!

"Now, that was such a foolish thing to do, that you could not think it possible, until you saw it stated in all the newspapers. After *that*, the whole country became Land Leaguers, and I myself had to attend their meetings, otherwise my congregation would not come near my church whatefer. And was not I thinking to myself often that that was the real way so many Irish Priests, and other Clergy, have been coming so much to the front in the Agitation, since his uncle sent Mr. Palfloor to Ireland. For he is, in my opinion, trying them as hard as he can to more and more agitation, and he and his uncle will never see it until the whole mischief is done. Putt that old radical, the G.O.M., as they call him, is a ferry cute old poy, and he sees ferry well what he is about. Putt things have been triffen too far by the other side, and may be his Home Rule plans, unless he makes them ferry advanced, will be thrown aside altogether."

This rough sketch is continued in the *Appendix*. The reader must not imagine that the Highland "divine" is more servile to landlordism than his Lowland brother. On the contrary, clerical servility increases as you descend to the plains and wend your way towards, and *over, the Border*. This is the *opinion* "of one individual, thinking freely, and for himself". Reader, do not believe in any body's *ipse dixit*, but test the alleged fact by "free inquiry," beginning at your own *Jerusalem*, city or country. How many Land-League parsons can you

count there? And how many are mere slave-drivers, and nothing else?

In the beginning of this century there lived in England a certain "divine" named Malthus, who is famous for having produced the most immoral and the most blasphemous picture of Venus that ever saw the light of day. He said: "A man born into *this* world, if society do not want his labour, has no claim of right to the smallest portion of food, and in fact has no business to be where he is. At Nature's mighty feast there is no vacant cover for him. She tells him to be gone."

The Goddess of British Theology is here represented as a shameless, unnatural, unjust, and cruel monster, who brings forth millions of children, and not only neglects them (with the exception of a favoured few who resemble her own image, *à la* Malthus), but will not allow them to procure, by their own labour, *the smallest portion of food*, and they die of starvation; while she—this voluptuous and whimsical goddess—delights herself at *mighty feasts*, where a few brats like Sir Thomas Lucy guzzle and gorge. Yes, and men like William Shakespeare and Robert Burns are peremptorily ordered *to begone!* And the land-of-their-birth is wasted as *parks*, where rabbits, hares, and deer—*sacred animals*, because kept and fed for the table of Sir T. Lucy and others of *that ilk*—may roam at ease and pleasure.

There were many "divine" priests of the Malthus order long before "Christianity" was used as a means of keeping mankind ignorant of the impartial love of *one* God, "THE FATHER," and the birthright of "His children".

The Malthus goddess—the Religion of priestcraft and landlordism—was an old woman even in the time of

Lucretius, and was then supposed to be in a dying state ; but having secured herself an *annuity* (rent), by means of a charter to which her priests forged the signatures of the Most High God and His Son, she renewed her youth, and foolish men still worship in her temple ; and while mothers and children starve, these worshippers frequently lay their all upon her altar.

Without similar facts staring him in the face, as we find *pictured* by Malthus, and, alas ! we still see in England, Wales, Ireland, Scotland, and Russia, Lucretius could not have written :—

“ Humana ante oculos fœdè cum vita jaceret
In terris oppressa gravi sub Religione,
Quæ caput à cœli regionibus ostendebat,
Horribili super aspectu mortalibus instans.”*

Nor this :—

“ O genus infelix humanum ! talia Divis
Cùm tribuit facta, atque iras adjunxit acerbas,” etc.†

Nor the passage beginning : “ *Nam veluti pueri trepidant,*” etc., which that prince of translators, Dryden, has put in words of his own, as follows :—

“ And just as children are surprised with dread,
And tremble in the dark, so riper years,
Even in broad daylight, are possessed with fears,
And shake at shadows fanciful and vain,
As those which in the breasts of children reign.

* Indeed, Mankind, in wretched bondage held, lay grovelling on the ground, galled with the yoke of what is called *Religion* ; from the sky this tyrant showed her head, and with grim looks hung over us poor mortals here below.

† Unhappy race of men ; to ascribe such events—to charge the gods with such distracted rage. What sorrow have they brought upon themselves ? What miseries upon us ? What floods of tears have they entailed upon our posterity ?

These bugbears of the mind, this inward hell,
 No rays of outward sunshine can dispel ;
 But Nature and right Reason must display
 Their beams abroad, and bring the darksome soul to-day."

And there must have been Balfours in those days !
 otherwise Lucretius would not have said :

" Tentat enim dubiam mentem rationis egestas ".

For the ignorance of causes leads to very grave *philosophic doubts* !

And the following is a *palpable hit* :—

" Circumretit enim Vis atque Injuria quemque,
 Atque, unde exorta'st, ad eum plerumque revertit," etc.

" For *Coercion* and *Oppression* entangle the man that uses them, and commonly recoil upon the head that contrived them. Nor is it easy for that man to live a secure and pleasant life [playing golf !], who by his conduct breaks through the common bonds of peace.

" Besides, what heart does not faint with a dread of the Gods ?

" Do not the people and the nations shake ? And proud tyrants, struck with fear of those avenging Powers, tremble every limb, lest the dismal day were come, to punish them for the baseness of their crimes, and the arrogance of their speeches ? "

In consequence of a Strathconon rumour that Mr. A. J. Balfour is to take *English* " Holy Orders," having utterly failed as an Irish *clerk*, I have anticipated the position by placing him *here* with " divines ".

I know I am touching *holy ground* ; and in approaching the shade of the venerable and benevolent Thomas Chalmers, the patron saint of my own particular sect, I at once unshoe. But the truth must be told. He was a believer in the " divinity " of the doctrine of Malthus.

As Professor of *Auld Kirk* "Divinity" in the Edinburgh University, he was bound to be so. The *Auld Kirk* of Scotland was, and is, as much leagued with landlordism as her Irish sister—the feudal *Establishment* of Henry II., or her English sister—the feudal *Establishment* of Henry VIII. Professor Thomas Chalmers, in the year 1841, published his *Parochial System*. In it, he says that God implanted in human nature that "homage," "deference," or "reverence," usually rendered to the holders of wealth. He did not look upon such servility as the conventional dregs of slavery. On the contrary, he says that, *this worship of rank* "is inserted, as a principle in the human constitution, by the author of our frame". And why? For the "beneficial end" of maintaining "the stability of our *social system*"—the landlord Government of his time! These are the words of Thomas Chalmers, D.D., *Professor of Divinity*! How different from the words of Robert Burns, the *man*!—who says—"The rank is but the guinea stamp!" How different also from the words of William Ogilvie, *Professor*, and also the genuine friend, *of Humanity*! And how opposite, let it be said with all reverence, to the words of THE MAN—Christ.

But Thomas Chalmers was not a mere "divine," a mere theologian, a mere *Professor*. He was also a *man*; and he had a genuine *human* soul, which, we know, he saved from being strangled by the red tape of "divine" theology. In 1841 he was watching the prognostications of the coming doom of landlordism. Although he regarded "the public feeling of reverence for the grandee of a neighbourhood" as natural as the feeling of reverence children have for their father, still he, casting his D.D., etc., aside for a moment, warned the aristocracy that—

"*A man's a man, for a' that!*"

"For," says he, "though a reverence towards the holders of rank be natural, the resentment of their oppression is also natural." He points out that this resentment is a just cause for a revolution. "Should there ensue," says he, "such a crisis, then it will not be the multitude who are alone to blame for it, but the holders of fortune and rank will have their full share and responsibility for its atrocities and its horrors". Besides the "*dark and angry passions of the multitude*, in the fearful crisis of a sweeping and destructive anarchy now awaiting us," he speaks of "*the vengeance of a neglected population*"; and points out how the "higher orders" are "more culpably and inexcusably" to blame than the "lower orders" for what may happen in "that coming tempest".

In 1843 Thomas Chalmers was the chosen leader of a Scottish revolt against landlordism for securing "*spiritual independence*"—namely, the power to choose their own clergy, *bodily slavery* remaining as before.

They talked "o' *patronage* an' *priests*,
Wi' kindling fury i' their breasts."

They dared not talk about anything else, and hence they brought forth a miserable mouse—*The Free Church!* The old feudal chain was left round the *corporal* necks of pastors and people as before, and new bonds and chains were now added in the shape of leases or charters for the sites of churches and manses, by which the bondage of vassalage was re-established by the lords of the soil; the so-called *free* pastors and people being obliged to submit, otherwise they would be guilty of breaking their vows under the *Confession of Faith*. What a lesson we should learn from a study of the life and times of the benevolent Thomas Chalmers, regarding the pernicious effect of "divine"

theology on the minds of men. The whole thing, when we examine it carefully, will be found to consist of a most cunning device for the establishment of landlord and other aristocratic fetishes, which is a degrading as well as a dangerous form of idolatry. A dead *golden calf* is a most innocent, well-principled, and highly moral creature. The "grandee of a neighbourhood" is more dangerous, and, as a rule, more immoral than a "graven image". If we must have an idol, even Moses would say—"take the *dead calf*!"

If the good man Thomas Chalmers had given a little brass *tiger* to every Free Church minister in 1843, and warned them of the danger of worshipping *grandee-tigers*, a Land Court might have been instituted in Scotland in 1847, and many libels on God Almighty for sending the potato blight, famine, and evictions, would have been withdrawn with ample apologies.

The potato is a living thing. It will not grow properly when the requirements of health are denied. It cannot. But it can *strike*! But its strike is not against God. No, it has more sense! It wants new seed; it wants new manure; it wants new soil, and more of it; and it makes a *strike* with a vengeance. It *strikes* the cultivators hard, and it tells them to strike hard against the *tigers*, for more land and against rent. But the Reverend Mr. Jackal leads the strikers to *the House of God*! and thus has saved many a *tiger* mansion from the just fury of strikers.

Many a kind-hearted and naturally noble-minded clergyman has fallen a victim to the ancient rules of his order. He is sworn to obey these rules in the same way as a judge is sworn to administer unjust laws. He must also accept "the presents" which by custom are attached

to his office, and should he fail to give effect to the wishes of the *donors* in performing duties according to use and wont, and thus behave differently from his predecessors in office, as Lord Chancellor Bacon did, he certainly would be exposed by the disappointed *donors*, and prosecuted, persecuted, and disgraced. Such are the difficulties which a member of a degenerate institution, or the holder of an office corruptly exercised for ages, has to encounter. The root of the evil is landlordism. It is with its "spoil" that sovereigns, priests, judges, landlords, professors, policemen, soldiers, and other public servants are debased, corrupted, and bribed. "That exclusive right to the improvable value of the soil which a few men are permitted to engross," as defined by Professor Ogilvie (section 28), is "a most oppressive privilege, by the operation of which the happiness of mankind has been for ages more invaded and restrained, than by all the tyranny of kings, the imposture of priests, and the chicane of lawyers, taken together, though these are supposed to be the greatest evils that afflict the societies of humankind".

We pause at these words, and as they enter our souls we get a glimpse of the sage that penned them. We realise his animated presence within ourselves, in combination with the quickening truth presented to our understanding. Here we have the essence of Political Economy—the Land Gospel—compressed within the small compass of seventy-two words ; and in one word—the word "permitted"—he has revealed to us both the diagnosis and the cure of the "greatest evils that afflict the societies of humankind". "A few men are *permitted* (by the many !) to engross a most oppressive privilege—the *exclusive right to the improvable value of the soil.*"

This is the real cause why the happiness of *the many* has been invaded and restrained for ages! Kings, priests, and lawyers are merely scare-crows and puppets. The Czar of Russia and his priests and lawyers are in reality only the diplomatic tools of a clique of marauders. These "Russian diplomatists" are not unlike the "factitious aristocracy" who utilise the British Queen, with her priests and lawyers, precisely in the same way. The Irish, the Scotch, and also the English tenants, are robbed in the Queen's name. The warrants for evicting the cultivators of the soil, compelling them to swell the misery and poverty of cities, seeking labour where the masses are already starving for want of labour, are issued in the Queen's name. Millions of landless labourers are fraudulently robbed by indirect taxation in the Queen's name. The clergyman says—"Amen, obey the law, otherwise you'll be damned"; and the lawyer and soldier carry out unjust and cruel laws. But the sovereign, the priest, the lawyer, and the soldier are puppets merely, and "a few men are *permitted*" to pull the strings! We have this fact on the undoubted authority of a man who was himself one of the "few," namely Professor Ogilvie.

In withdrawing the *permission*, which is the simple cure suggested, there is no word in his teaching about the question of compensation—not even as a temporary obstacle. In the case, however, of *real* property, *created by labour*, he would fully compensate the real labourer for all loss sustained in connection with any of his benevolent schemes of land reform. The landholder has a right only to the "improved"—the created—value of the soil. He has no right to the "original and contingent value". "That must still reside in the community at large, and, though seemingly neglected or

relinquished, may be claimed at pleasure by the legislature, or by the magistrate, who is the public trustee." (*Section 13.*)

The land belongs to "the community at large"! We must not narrow the Land Question, as merely affecting the labourers or tenants of the soil, and their Lords and masters. Those who are not directly connected with these *Lords of Creation* are equally interested. The robbery which the landless labourers *permit*, in the shape of indirect taxation and expatriation, is more fraudulent, more pernicious, more cruel, more extensive and widespread than the robbery of rent. Land rent, however, we must not forget, is the root of all the robbery—the taxation of the landless people being merely the outcome. This is so very obvious, that I feel a kind of shame in mentioning it. Yet it is a fact we steadily ignore. We forget that until 1858 the so-called House of Commons was entirely and exclusively composed of landlords. We forget that it is still mainly composed of the same old *quality*—landlordism. We forget that this *House of Landlords* has always exercised the *exclusive* power of levying taxes on the people (on the *whole* people!) as well as the exclusive power of levying rent on the tillers of the soil, on the diggers of coal, iron, and other minerals, which is a direct impost on the consumers—the farmers and miners being merely rent collectors, used as *spades* of spoliation and robbery. "Foxes have holes"—Ah! we must not repeat the rest along with worldly matters. The words, SON OF MAN, must not be uttered except by a "divine," who, at the same time, turns up the white of his eyes towards *cloud-land*! to save the *children of men* from the agrarian crime of thinking about any other kind of *land*, "here below,"

whereon to build a home, by any right otherwise than through the godly homage of Landlordism, and by yearly or half-yearly sacrifices of blackmail,* as the "divine" *superiors* of the common people may by "God's authority" command, all as laid down by the *Articles and Confessions* of our British *Vladimir*—St. William the Conqueror, and his faithful followers. We forget that a "national debt" amounting, with the interest already paid, to about £3,700,000,000—equal to about £500 for every family in Great Britain and Ireland—was incurred by a Parliament of landlords. We forget the landlords' own cry—that the "*landed gentry*," and not "*the rabble*," are liable for every farthing of that so-called *National* debt! We forget that the land belongs to the Nation—to the People—and that its rent is a national fund which should be used for national purposes—for the equal benefit of the whole People. We forget that "a few men are *permitted*" to spend this national fund in such "national" sports as *Caesar* describes in his *Commentaries*. They

"Stake on a chance a farmer's stackyard,
An' cheat like ony unhang'd blackguard.
There's some exceptions, man an' woman;
But this is gentry's life in common."

We forget that the mere withdrawal of our permission of the abuse of National funds would leave us with a handsome surplus every year, after providing for free libraries,

* *N.B.*—Mr. Giffen's estimate of the yearly rent of agricultural land in the British Isles is £64,190,000; of mines, quarries, etc., £10,199,000; of land as *building stances*; £131,410,000. The ground rents of railways, waterworks, etc., as well as shootings and fishings, are not included in these figures. And Heaven only knows the amount of landlord plunder which *Law and Order* permit at the expiry of building leases and such forms of licensed larceny.

free schools, and free universities ; and that all taxes and excise customs on industry or articles of consumption would cease to be necessary. We forget about the number of widows, orphans, aged or disabled workers, and other fit subjects of benevolence, who ought to be provided with pensions out of such a surplus, in a country which boasts of the Christian Faith. We forget that landlords are merely human—that they are not gods—and that as long as they “are permitted to engross a most oppressive privilege” they ought not to be blamed for the sufferings which the many *permit* themselves to suffer at the hands of a few. We forget the many lessons of the past—sending landlords to Parliament, absurdly believing in their willingness to repeal their own laws. We forget about *another place* ! the relics of which, “divine” and otherwise, should be at once removed to the British Museum, for their own safety and the public good, as the next proper charge of *new wine* is certain to burst these *old bottles* ! And we forget that we have permitted ourselves to get into this condition of forgetfulness, entirely through ignorance—positive ignorance—inculcated by the clergy, the traditional tools of statecraft tyranny of the most pernicious kind ever known to exist, namely, landlordism. A Sovereign, Prince, or President of any civilized nation or state, may exercise the merciful power of granting a pardon even to a murderer after sentence of death ; but the *Ukase* of eviction, or exile, capriciously procured by landlord tyranny, must not be interfered with. It is final ; it is supreme ! The landlord holds his commission from God, the clergy tell us, and St. Paul is referred to as an authority in favour of the divinity of charters granted by Richard III., Henry VIII., or by His Grace, the Duke of

Argyll. The "divine" *Ukase* of eviction must not be appealed even to Heaven itself. The tenant who has used a scanty crop to maintain his wife and family in obedience to the Law of Nature, and the vows made at the marriage altar, has become an *unpardonable* "criminal," because he has failed to pay an impossible rent. Or, may be, the evicted "criminal" is a poor widow whose frailty in regard to the *natural* rights of her hungry children, made her forget the "divine" rights of landlordism! How long shall such things be?

But when we ask the following questions:—Why is it that the laws of Moses have been disregarded as to *Property in Land*? Why is it that the gospel of Jesus has been topsy-turvied, perverted, and made subservient to landlordism and slavery? Why is it that such works as George Buchanan's *De Jure Regni*, John Locke's *Civil Government*, Professor Ogilvie's *Right of Property in Land*, and Henry George's *Progress and Poverty* are not read in every cottage, and *authorised* to be taught in every school in the three kingdoms? And why is it that "*A man's a man for a' that*" is not sung as a sacred song, in every church, chapel, and Sunday-school; not only in the "Land of Burns," but in every land where the English language is spoken? Are we not obliged to answer that the clergy are not exclusively to blame.

The clergy, as Professor Ogilvie tells us, are merely the servants of the public, and if they are *permitted* to neglect their duty, it is in accordance with Natural Law that the public, so permitting, should suffer. Submission to ignorance is a breach of Natural Law, and every breach of Natural Law is duly followed by its appropriate punishment. Such a transgression on the part of an individual, and most certainly on the part of a com-

munity, is followed by slavery, poverty, and misery. Kings, priests, judges, University professors, and even policemen, the moment they are *permitted* to forget their position as public servants, become tyrants and robbers, and prey upon society instead of guarding its liberty and property. They should be constantly reminded of their position and duties as trustees and servants, for, as "D" says to *The seven wise Masters*: "It is very natural that they should forget this, if the country does not keep them in mind by proper attention" (p. 202 *ante*).

We should get rid of all our "divine" quackery in the Public Service. Our "divine" clergy must, sooner or later, follow the fate of "divine" kings, "divine" medicine men, and "divine" warriors. In ancient times the medicine man was always a professed D.D. He cured diseases by his "divine" influence! The "divinity" of warriors was at one time a universal belief; and the idea still lingers in many rather respectable quarters. Some *Carlylists* have a weakness that way. Instances of "divine" Quixotism are not rare in comparatively recent times. That the great Oliver Cromwell was a relic of this order may be charitably assumed. In the hero of the massacre of Drogheda we have our choice between a "divine" fanatic or a blood-thirsty savage, whose wholesale murder of women, children, and aged men, is almost unparalleled in the annals of barbarism. The "divine" Napoleon I. has been already referred to, but whether he should be regarded as a genuinely anointed fanatic, or as a hypocrite and traitor, is a speculative question for the student of philosophical history. One thing is, however, quite clear. He played the despot so shockingly real that the several acts of his life's drama may be acknowledged as the severest

blows ever struck at the monarchal system of government.

In reading the tragedy of Napoleon, we, however, must not forget that it was the British Government, *alias* the Landlords of Britain, that really made Buonaparte an Emperor. It is an undoubted fact, that they invaded France purposely to restore the "ancient rights" of the nobility and monarchy. It was a British landlord war against the peasant cultivators of France. The British peasants foolishly fought against French Independence. Positive ignorance, propagated by their "divine" teachers, led them like sheep to the slaughter. It was the same blindfolding influence that led them to fight against the American Standard of Freedom in 1776. They fought for God, for George, and for *their* country. That was the essence of their war-cry. It was a false cry. They did not fight for God, but the "divine" clergy were bound by landlord-made-law to support that blasphemous cry. They did not fight for George, who never could be justly called *their* King; he was merely a puppet set up by a "factitious aristocracy," but nevertheless the "divine" clergy, as teachers of morality, virtue, and truth, were bound by landlord-made-law to support that imbecile cry. They certainly did not fight for their country—*their* country!—every square inch of which (with the exception of some commons not then appropriated) was held as the "private property" of the landlords—who alone were *the* "nation," the landless people being looked upon as hewers of wood and drawers of water, or, in the elegant language of Lord Braxfield, as "the rabble"! But the "divine" clergy did support, affirm, and "sanctify" that cry. It was all for rent! rent!! rent!!!

The war-cry of to-day—"The unity of the Empire"—which keeps an invading army of from 20,000 to 30,000 soldiers, and a degrading *force* of 14,000 armed policemen, in Ireland, is equally false, fraudulent, dishonest and deceptive. It, also, is all for rent! rent!! robbery! robbery!!

The "sacred rights" of landlordism are still among "those things" which the "divine" clergy of England, Scotland, Wales, Ireland, and Russia, devoutly wish to maintain and perpetuate; and, in too many cases, they conscientiously believe in being bound by the rules of their order to act as the god-fathers of such "sacred rights". With regard to the present condition of Ireland, how many of the English, Welsh, and Scotch "divines," in response to the octogenarian Leader of British Liberty, will use their influence "to rid this Empire at once of an intolerable nuisance and a deep disgrace"? As for the Irish "divines," the comparatively small number that passed with *plank bed* honours in *Balfour's Academy*, is a clear indication of the vast majority being quite satisfied with diplomas bearing the antiquated feudal seal of Henry II.

The *Exodus* of the clergy of all denominations from the *Egypt* of Landlordism is only a matter of time. "The sand is running in the glass!" and hence the indecent haste of passing *Land Purchase Acts*; for the sole purpose of enabling *Messrs. Shylock & Co.* to get re-payment of their bonds, *out of the public purse*, before the advent of the final smash—the great Strike of the whole people against all forms of consecrated and unconsecrated robbery. Now, there are many good men amongst the clergy, and these should not tarry too long in Pharaoh's camp: "A word is enough for the wise!" On the other hand, it is most desirable that all the priests

of the *flesh-pot and golden-calf* Order should remain with Pharaoh. There is a danger in trusting them, which the modern Moses must carefully guard against. And there is an equal danger in mistrusting those who deserve to be trusted. The *wilderness* of the French Revolution must be kept in view ; and its lessons, as well as the Mosaic lessons, should not be forgotten. If the religion, theology, philosophy, ethics, or even the traditions, of a nation are interfered with by any Government or Authority, such interference is an infringement of the sacred principles of Liberty and Justice, which, in the past, invariably led to the most aggravated forms of tyranny and slavery known to mankind. Captivity or bondage is a respectable condition of society as compared with slavery, where men, women, and children, have in reality given up their souls. It matters little as to the shrine at which this soul-sacrifice is performed, whether it be the palace of a king or lord, the cathedral of an archbishop, or the chapel of a dissenting clergyman : The effect is always the same, a lost soul.

Before resuming the thread of the main subject of these *Notes*, it is proper to state that the facts teaching the relationship between religionism and landlordism, placed here for the contemplation of the reader, have suggested themselves between the lines of Professor Ogilvie's *Essay*. His profound knowledge of the question, combined with the masterly scientific way in which he solved its problems and explained its principles, enabled him to foresee all that has taken place since 1781. There is nothing new to add. He is still abreast of the times. Will the clergy now act on his advice, and aid in breaking the seal of ignorance which is the primary cause of so much poverty, misery, and crime? Or will

they still continue to use the pulpit as the citadel of oppression, slavery, robbery, error, ignorance and superstition? It is surely more judicious to say "No," to the latter question. Even the Universities will be reformed in a way never dreamed of in *their* philosophy. The backsliding of Mr. Herbert Spencer, and the dogmatic belief in the divinity of landlords in which Messrs. Huxley, Tyndall, & Co. indulge, must be regarded as mere human weaknesses, connected with early impressions and traditions, from which even the greatest of men are not exempt. The present Roman chief Pontiff is a victim. We have seen the pious partiality of the good Thomas Chalmers for the *divinely ordained* "grandeest of a neighbourhood". We cannot forget his honest contemporary, Thomas Carlyle, who was a great man—head and shoulders above his fellows—notwithstanding his unfortunate fancy for *tigers*. His heart was noble and natural, but he inherited certain skin-spots tending towards flunkysm, which he was never able to get rid of. Was he not born in the same "decadent age" as *his* "poor Louis"? and consequently a victim—"To be born, and to learn only, by every tradition and example that God's Universe is Belial's and a Lie; and the 'Supreme Quack' the hierarch of men"! French and Scotch Theology in those days were, *in some respects*, of the same shade. Hence Thomas Chalmers and Thomas Carlyle were as much afraid of *an appeal to the country (!)* as any "poor Louis" could have been. The Demon of the French Revolution—the "cloud-capt, fire-breathing Spectre of DEMOCRACY," with which they were acquainted as boys, continued to haunt them after they grew to manhood, with all the horrors of a real ghost! How very different were William Ogilvie and Robert Burns!

They recognised only one divine Law and Order, only one Sovereign Power—that which governs the Universe, and guides the circling spheres. Examining the *Law and Order* of “divine” Kings, “divine” Ecclesiastics, “divine” Men of Rank, “divine” Olivers, and even “divine” Landlords *in Dei nomine*, what did they see? They saw a reign of usurpers, hypocrites, murderers, and robbers, who had disfranchised the bulk of mankind, contrary to Natural Justice. The *Spectre of Democracy* was no terror to them. They assiduously prayed—*Thy Kingdom come: Thy Will be done ON THIS LITTLE EARTH as it is in Heaven.*

In the beginning of 1805, that ever memorable year of European turmoil, we find Professor Ogilvie writing to his distinguished pupil, Sir James Mackintosh, who was then undergoing a period of *transportation*, as Recorder of Bombay; that being the *punishment* he got for his *Vindiciæ Gallicæ*. Sir James was considered rather a dangerous enemy to the Pitt-Dundas administration, when it was discovered that he was proof against the seduction and bribery of place and emolument in connection with home affairs; hence the reason that, in 1804, he was gagged by a knighthood and a salary, on the condition of betaking himself to Bombay. The burden of a wife and family, and a severe struggle with poverty for many years, made him an easy victim; so he went. We know that he was offered something much better at home, if he would only consent to *turn his coat*. Here is an authentic record of his *temptation in the wilderness*: “Jane, Duchess of Gordon, who, at that time, had considerable influence in Scotch Affairs, and was intimate with Pitt and Dundas, told me [Major Gordon] that she had in vain tried all her persuasive powers, and they were

not small, to detach him from his party. I took the liberty to observe to her Grace, that I was well acquainted with him, and knew that his *politics* were his *principles*."

The resisting of the *tempter*, in the form of "Pretty Jane Maxwell," was a severe test, but Sir James, whose youthful mind had been impregnated with the Liberal principles of George Buchanan, unfolded to him, undiluted and undefiled, by Professor Ogilvie, proved himself equal to the occasion. The "*Memoirs of the Life of Sir James Mackintosh*," published in 1835, contain two or three genuine glimpses of Professor Ogilvie; and if the reader will recall what has been already stated regarding the special interest which the author of *Birthright in Land* manifested in the welfare of the natives of India, these glimpses will be seen in a clearer light. The fact of Professor Ogilvie, when verging on the allotted span of three score and ten, being still in the van of Land Law Reformers, agitating his benevolent schemes with "unabated fervour and vigour," amidst the storms and disasters of the French Revolution, and the despotic cyclone which was then raging, is a remarkable spectacle which even the eye of opposition cannot behold without a sense of admiration. Professor Ogilvie loved mankind and wished to see justice done all round; he *preached* and *practised* genuine christianity during the whole course of his life, and he continued faithful even unto death. How very different is the nominal Christian, who is goody-goody enough to admit the justice of abolishing slavery, oppression, and the legalised robbery of landlordism, but who, with a wise shake of the head, asks you, "What's the use of agitating, seeing that YOU and I will be dead long before any Parliament will pass a measure of that kind?" And this barren fig-tree-christian goes through life in a sordid,

mean-spirited, and dishonest way, enjoying the benefits of the present, without the slightest sense of gratitude in regard to the labourers of the past who provided these benefits ; and on the approach of death the same selfish and unchristian spirit prevails ; a scramble is then made for some form of a *self-saving-apparatus*, to buoy the departing soul across the waters of the justly dreaded *Jordan*. And this *Devotion of Selfishness* is called Christian. Alas ! how opposite to the Spirit of the Founder, who, on the way to an agonising and insulting death, manifested such a marvellously affectionate interest in the welfare of the innocent oppressed wretches He was leaving behind Him in this world. The words : "*Daughters of Jerusalem, weep not for me, but weep for yourselves, and for your children,*" breathe the spirit of a benevolent hero. Were He in the world of to-day He would lead the van in the blasting of those spurious *fig-trees* which are worse than *barren*, because they yield High and Low priestism, along with Cæsarism and Zemindarism, as fruit for the gullible multitude. The dying words of Socrates, and the lines * penned by Ogilvie in 1776, when expecting the next moment to be his last, indicate to us how those who live nobly, are able to die nobly. On the other hand, the world is full of *documentary evidence* regarding the dreadful difficulty which the sordid and selfish portion of mankind experience in attempting to die like honest men. Their trust in a fatherly God is manifested very much after the fashion of a poor shivering native of Central Africa, kissing the ground in front of a white-faced demon, who, with forefinger on trigger of his elephant rifle, is about to let loose a *thunder-*

* Compare Ogilvie's never-dying spirit of benevolence with the selfish *Requiem* penned by the Duke of Argyll. *Appendix X.*

bolt! Prayers are uttered personally and by proxy; and if the victim be possessed of superfluous wealth, the ancient savage custom of squaring the Almighty by means of presents—bequests to churches and charities—is generally resorted to. The world, however, is improving and getting more genuinely Christian every day. Several branches of Scientific Knowledge are now endowed without any fear of serious consequences either to the souls of the donors or donees; and, by and by, we may expect Government grants and private endowments on behalf of “*The independence of the plough*,” as suggested by the far-seeing Professor Ogilvie. The Law of Necessity must assert itself even in *Darkest England!*

We have to thank the Editor of *Mackintosh's Memoirs* for having preserved the following morsel of Professor Ogilvie's letter to Sir James, which he introduces with the remark, that it “touched upon topics, which every arrival of news from Europe tended to invest with deeper interest”:—

“I do not suppose,” says the Professor, “that you, any more than myself, have embraced the philosophy of common sense, as it has been called, in all its latitude; but surely Dr. Reid's eminence in various sciences, and his successful endeavours to throw light on that which he cultivated, cannot have escaped your notice, any more than the merits of the ‘*Vindiciæ Gallicæ*’ escaped him. Mrs. Carmichael, his surviving daughter, at whose request I take the liberty of giving you this trouble, informs me that he was struck with admiration on reading that Essay, and used frequently to speak of it as one of the most ingenious works of the kind he had ever met with.

“Alas! how are our prospects changed since those fair

days of hope and sanguine speculation! I trust, however, you have not desponded: I have not. From the very first, I regarded the high fermentation of the French nation with a mixed sentiment of joy and of dread. I felt like the poet, looking on the great movements in the frame of nature,

‘ His ibi me rebus quædam divina voluptas
Percipit, atque horror ’;

and, even now that those former labours seem to have subsided in the dregs of mere despotism, I still cherish the hope of some favourable result—some valuable and permanent, though but moderate, improvement; some fortunate establishment that shall succeed these storms, as our revolution in 1688 succeeded the civil wars. I even build some hopes on the transcendent talents of Buonaparte. It is impossible for me to believe that this child and champion of popular rights, so endowed by nature, formed, as we are told, on the best ancient models, and tinctured with the sublime melancholy of Ossian, can prove ultimately unfaithful to the glorious cause, the idol of his youth.”

The following *note* shows that the most interesting part of the Professor's letter was not considered of much importance in 1835. The Editor says:—"Mr. Ogilvie, with a generous ardour, then offers to communicate to Sir James some observations on property in land, which he imagines may probably be applicable to India, and tend to improve the condition of the natives of that country”.

In perusing the following reply by Sir James, the reader, in considering that portion of it which refers specially to the condition of Europe, has to keep in view

the wonderful military success of Napoleon during the intervening period, 1805, 1806, and 1807, by which he became Master of all the thrones in Europe, Britain's alone excepted, and how difficult it must have been to form any definite opinion in regard to such unprecedented events :—

“BOMBAY, *Feb. 24, 1808.*

“MY DEAR SIR,—That I have not sooner answered your letter, by Mr. Rose, in the beginning of 1805, has not been owing to any insensibility to the value of that mark of your remembrance. On the contrary I assure you, that after repeated perusals, that letter has not yet lost its power of producing strong emotions in my mind, such as are naturally excited by the generous spirit which it breathes, and by that union of elegance with energy, which so much distinguishes it. At the distance of twenty-five years, I recognise your unabated fervour and vigour : I call to mind the energy, which first roused and directed my own infant powers, and I feel myself most warmly disposed

‘To bless the place, where on the opening soul
First the sacred ardour stole’.

“With these feelings, you may do me the justice to believe, that I should have gratified myself by rendering service to the nephew of Dr. Reid, whose philosophy, like you, I do not embrace, but whose character and talents every cultivator of science must venerate. * * *

“I admire the intrepid spirit which supports you against political despondence, in the midst not only of the disappointment of our hopes of a better order of society, but of the destruction or immediate danger of all

the best institutions transmitted to us from former times. There is a sense in which I too do not despond, or, more properly, do not despair. I still think that a philosophical survey of human affairs teaches us to consider the race of man as engaged in a progress often checked, long suspended, but always to be traced through the darkest mazes of history, and of which the boundaries are not assignable. Moral or physical revolutions may destroy it entirely ; but there being no examples of such within the period of historic record, we must consider them as events which, though possible, are not entitled to any higher place in the scale.

“ It is certainly true that the longest and most dreadful suspension of the progress known to us, the irruption of the Germanic nations, was so far beneficial that it was succeeded, though after a long interval, by a better form of civilization than that which preceded it ; nor can we conceive how that better order could have arisen, without the previous calamities. In this large sense, I do not despair of the fortunes of the human race. With my admirable friend, Mr. Dugald Stewart, I am ready to say,—

‘ Fond, impious man ! think’st thou yon sanguine cloud,
Raised by thy breath, can quench the orb of day ?
To-morrow he repairs the golden flood,
And warms the nations with redoubled ray.’—[*Gray’s Bard.*]

“ But the moral days and nights of these mighty revolutions have not yet been measured by human intellect. Who can tell how long that fearful night may be, before the dawn of a brighter to-morrow ? Experience may, and I hope does, justify us in expecting that the whole course of human affairs is towards a better state ; but it does not justify us in supposing that many steps of the

progress may not immediately be towards a worse. The race of man may reach the promised land, but there is no assurance that the present generation will not perish in the wilderness.

“The prospect of the nearest part of futurity, of all that we can discover, except with the eyes of speculation, seems very dismal. The mere establishment of absolute power in France is the smallest part of the evil. It might be necessary for a time, and, as you observe, it might be followed by a more moderate, popular vibration, which, like our Revolution of 1688, might have settled near the point of justice ; but that seems no longer possible, nor, if it were, would it be sufficient. Europe is now covered with a multitude of dependent despots, whose existence depends on their maintaining the paramount tyranny in France. The mischief has become too intricate to be unravelled in our day. An evil greater than despotism, or rather the worst and most hideous form of despotism, approaches : a monarchy, literally universal, seems about to be established. Then all the spirit, variety, and emulation of separate nations, which the worst forms of internal government have not utterly extinguished, will vanish. And in that state of things, if we may judge from past examples, the whole energy of human intellect and virtue will languish, and can scarcely be revived otherwise than by an infusion of barbarism.

“You build some hopes on the character of the mighty destroyer himself ; they are, I fear, only benevolent illusions. Imperious circumstances have, doubtless, as you say, determined his actions ; but they have also formed his character, and produced a mind, which can endure no less powerful stimulants than conquest and revolution, depositions and establishments. If he still

endeavour to persuade himself that he has a benevolent purpose, it is a self-illusion which renders him more extensively and incorrigibly mischievous ; it will lead him to destroy all restraints on his will, as checks on his benevolence. He will act on two principles, the most erroneous and fatal that a sovereign and a law-giver can adopt ;—one, not only that he can know how to promote the happiness of nations and ages, which is false, but that he ALONE must infallibly know it, which is more obviously false, and more actively pernicious ;—another, that improvement can be poured into the lap of passive men, and that happiness may be forced on resisting men, though all happiness excludes restraint, though all real improvement be the spontaneous fruit of a mental activity, which may, indeed, be guided by a wise government, but for which the wisest government cannot contrive a substitute.

“ I should rejoice to see your speculations on landed property ; for though, *on former occasions*, I suspected you of being more influenced by confidence in regulations than experience will allow, yet I was always delighted, not only by the benevolence of your purpose, but by the singular ingenuity of your means. I can promise you no more than that you will give me pleasure, that you will exercise and improve my understanding, and that I will freely tell you what I think on the subject. Practical effect here you must not hope. The constitution of the Anglo-Indian Government is founded in opposition to the most demonstrated principles of political science ; and its measures are in perfect unison with its original principles. Within these two years a *gabelle* has been established in Malabar and Canara, as a fund to pay the salaries of the provincial judges. How can you object

to a government taking a monopoly of the only luxury of the poor [salt], when you consider that the government is founded on a monopoly? It is vain to refine on the distribution of the produce of the soil between the labourer and the legal owner, in a country where the latter class does not really exist, and where a ravenous government begins by seizing at least one-half of it in the most vexatious mode. This Government is too needy to listen to any proposal for mitigating the fate of their subjects; all that they can get is not enough for them. We have a bankrupt sovereign, and a people beggared by imposition. Yet so highly is this country favoured by nature, that the mere destruction of the monopoly would speedily remedy the greater part of these evils.* The Act for vesting the trade and territory in an exclusive company, ought to have been entitled, 'An Act for preventing the Progress of Industry in India, in order to hinder the Influx of Wealth into Great Britain'.

* * * * *

"If you write to me again, I promise not to be long in answering your letter; for I can most sincerely subscribe myself,

"Your grateful pupil,

"And affectionate friend,

"JAMES MACKINTOSH".

What of the situation now? Do we see any sign of the dawn of true knowledge and the light of reason, by which alone the darkness of that long dark night can be dispelled? In the lamentations of Sir James

* The initiatory proceedings connected with the passing of a remedial measure, Sir James lived to witness and promote—being "roused and directed," no doubt, by the *same* "sacred ardour" which inspired the foregoing letter.

Mackintosh we should not join. Let us rather look at Europe *under Napoleon*, and at India *under The Company*, through the eyes of one who foresaw these "junctures" and "various occurrences" many years before they came to pass.* The so-called civilised world was fully impregnated by Ignorance and Superstition at the time he began to contemplate his *schemes* for the "re-establishment" of disinherited children in "their natural rights to independence of cultivation and to property in land". Priestcraft and landlordism, born and bred of such parents, were developed, and continued to develop into all conceivable forms of monstrous tryannies, while the bulk of human-kind were steeped in positive ignorance, abject slavery, passive servility, and misery. There was a long dark night. But the real philosopher—the student of nature who studied mankind and history in the light of reason, was able to see that such darkness and oppression could not always last. He says, "I felt like the poet, looking on the great movements in the frame of nature," "a mixed sentiment of joy and of dread". With the offspring which survived the lying-in period of the French Revolution, he was by no means satisfied. There were in those days too many *Herods* on the watch, and, worse still, the child that returned from *Egypt*, unfortunately for France, and for the world generally, was undoubtedly a changeling. But this changeling having out-Heroded all the other Herods, they were moved by the old spirit of jealousy; and also by the fear of being gobbled up, like the frogs in the fable; and, therefore, they all—these old-established Herods—formed a "Holy Alliance," as it was called, against

* See *Essay*, Section 56 to 62.

France and her newly-established *King Stork*. This was the very *card*, the only *card*! by which *King Stork* could play the "holy Emperor"! the Heaven-sent saviour of the French People! the Lord's anointed! And this he did triumphantly, as long as the blood of France lasted. Milton's or Dante's Devil would have been satisfied with the return journey from Moscow. Altogether, it is estimated that 2,300,000 French soldiers fell in the wars of Napoleon. The number of the "enemy" that fell, who knows? The surviving orphans, widows, husbandless maids, broken-hearted parents, and sisters, *on both sides*—who endured endless grief, poverty, and misery with a despair which must have shaken their faith in a benevolent God—let us not attempt to count or estimate.

But let us look again at these living masses of armed men—the flower of civilised "*Enlightened Europe*"! Herod "the Great" marches under the banner of "*Liberty*"! and the contending allied little *Herods* also march under the same banner of "*Liberty*"! and the great quack and the little quacks quarrel about the right of advertising and dispensing the "genuine article"!

Men leave their homes, *on both sides*, "to fight for Liberty"; "to fight for their homes"; "to fight for their country". Now, here we have the "junctures," the "favourable opportunities," referred to by Professor Ogilvie, whereby a re-establishment of the natural rights of the People might have been easily secured, and landlordism and tyranny for ever abolished. "When these glorious days of favourable opportunities come," he in effect said, "you, the people who now (1780-81) groan under oppression, can easily work out your own salvation. Surely you will not then march a step, or draw a sword, for maintaining the tyranny now exercised by

your present lords and masters." But he knew the dangers ahead, and he gave warning accordingly. The people were steeped in ignorance—ignorance of their rights to the land in particular. But besides the much wanted knowledge "of their title to such rights," he knew the great need there was for wise, courageous, and faithful leaders—"leaders prepared to direct them in the mode of stating their just claim, and supporting it with necessary firmness and becoming moderation".*

We have now wandered back instinctively to the *Essay*, Sections 56 to 62. We behold the author in these sections, and, at the same time, we may learn practical wisdom from his "speculations"! Let us consider how far his prophetic aspirations have been verified or falsified by that never-erring judge, TIME!

The "various occurrences," "junctures," and "favourable opportunities" which he prospected in 1780-81 began to unfold themselves in 1789; and their marvellous evolutions continued to astonish and distract the so-called civilised world, until the "Sun of Austerlitz"! stripped of all glory, came to earth a mere *fallen star* in 1815. Then silly Europe, and ten times ten sillier Britain, began to cry "Peace, peace!" when there was no peace. It was the *peace of death*, as far as British Liberty was concerned. On the field of Waterloo, Britons gave up almost the last token of the Revolution principles of 1688; and thus much of their "glory" departed, and the pet phrase, "the envy of foreign nations," thence forward acquired a somewhat sarcastic application.

The French people, and also the Prussians, must have acted on some principles similar to those recom-

* *Essay*, Section 57.

mended in the *Essay*. They abolished serfdom, and succeeded, so far, in obtaining a "re-establishment of their natural rights to independence of cultivation and to property in land." One may even venture the conjecture that the *transcendent Buonaparte* did not scruple to draw some of his governing wisdom from the same or some similar source.

Professor Ogilvie, we have seen (Section 57), addressed himself in accordance with the Revolution principles of 1688, to "the sovereign, the legislature, or the real patriots of a country". We have seen (*ib.*) how he deplored that the British patriots of 1688, and the American patriots of 1776, failed in securing their "natural right of property in land"—to "*establish*," he says, "*an arrangement of the highest importance to the general welfare of their fellow-citizens*". And we have just seen (p. 301, *supra*) how he deplored that the French patriots of 1789 stopped short at peasant proprietorship—"whose labours," he says, "now (1805) seem to have subsided in the dregs of mere despotism".

But what did the British patriots get? Did they improve their position at Waterloo? For whom, and for what, did they shed their blood there? What was *their* quarrel with the French people, or even with Napoleon? These are awkward questions which the partial historian and other landlord menials do not care to answer. The same influence which blinded the British Peasant, after he was be-fooled to fight landlord battles against American Independence, again succeeded in blinding him at the close of his crusades against French Independence.

Lord Byron noticed not only the blindness of the *rank and file*, but of the lords and masters also. After *Waterloo* rents came tumbling down.

Alas, the country ! how can tongue or pen
 Bewail her now *uncountry* gentlemen ?
 For what were all these country patriots born ?
 To hunt and vote, and raise the price of corn ?
 But corn, like every mortal thing, must fall,
 Kings, conquerors, and markets most of all.
 And must ye fall with every ear of grain ?
 Why would you trouble Buonaparte's reign ?
 He was your great Triptolemus ; his vices
 Destroy'd but realms, and still maintained your prices ;
 He amplified to every lord's content
 The grand agrarian alchymy, hight *rent*.
 Why did you chain him on yon isle so lone ?
 The man was worth much more upon his throne.

And so on, till we come to the lines, "Safe in their barns," etc., quoted at p. 184, *supra*, from which the reader will see most clearly how cruelly the peasants of the British Isles were be-fooled in those days, shedding their own blood and murdering Frenchmen for the sake of maintaining British Landlordism, with its wars, rack rents, oppressive taxes, compulsory idleness of the people, starvation, and crime ; together with the debasing influence of a superstitious religion taught in every Parish, by which Jehovah, as "*the God of Hosts*," was directly blamed for all these evils, while the real evil-doers were extolled as saviours of mankind ; their very bloodhounds worshipped as gods, and graven images of them planted as idols throughout the land. During the reign of George III., from 1760 to 1820, our real rulers swallowed up every thing, and incurred a "National" ! debt besides, amounting to £732,886,942 ! In August, 1822, matters began to improve ; one traitor turned patriot, then—

" Oh, Castlereagh ! thou art a patriot now ;
 Cato died for his country, so didst thou :

He perish'd rather than see Rome enslaved,
Thou cutt'st thy throat that Britain may be saved !

Shall noble Albion pass without a phrase
From a bold Briton in her wonted praise ?
Arts—arms—and George—and glory and the isles—
And happy Britain—wealth—and Freedom's smiles—
White cliffs that held invasion far aloof—
Contented subjects all alike tax-proof—
And Waterloo—and trade—and—(hush ! not yet
A syllable of imposts or of debt)—
And ne'er (enough) lamented Castlereagh,
Whose penknife slit a goose-quill t'other day."

Those who foolishly sacrificed their lives on behalf of landlordism in these wars died happy. And the Fates were as a rule less cruel to them than to the survivors. The Highlanders who responded to the trumpet of war in obedience to their chiefs, how were they treated after Waterloo? We know that on landing in England the remnants of the Highland Brigade were received in every town they marched through with perhaps as much real patriotic pride, honour, and kindness as ever fell to the lot of brave and victorious men ; and as they proceeded Northwards to what, once upon a time, was *their own country*, the feelings of warm welcome seemed rather to increase than diminish, until, Alas ! they came to one spot :—

" A dearer, sweeter spot than all the rest ".

" That," says *an applicant* under the Scottish *Crofters' Act* of 1886—pointing to a glen—" is the place where my father was born and brought up. Like some other young men he was forced into the army, but it was on the express condition that his parents, and their posterity, should never be disturbed in the possession of their land.

On his return home after the battle of Waterloo, instead of his home—the home of his ancestors—there was nothing but roofless walls, thresholds overgrown with grass, and the nettle and thistle in full possession, rooted round the old hearth stones. He, for a moment, distrusted his eyes. The unexpected sight of such desolation pierced his heart, and he felt stupefied. How cruel of the French bullets to have spared him for such refined landlord torture! It was a complete *Highland Clearance*; not a living soul was left in the glen to tell what had become of the people.” This was the work of the Commercial Landlord—the *Commercialised* Highland Chief, or, more properly, thief! the advocate of *Freedom of Contract*—freedom to do what he likes with the land, and to kick the people about, or away altogether, in accordance with his caprice, avarice, or pleasure. The same story, with sad variations, may be told of many a Highland glen. And, with equally sad variations, it could be extended to the Lowlands, to England, to Ireland, and, without any doubt, to British India. The British *nabobs* excelled all other freebooters, barring, perhaps, the Spanish Christians who plundered and murdered the natives of Mexico. The East India Company was a huge syndicate of *Commercial* landlords, the undoubted scum and dregs of British despotism; but, nevertheless, it was approved of and supported by the “*Christian*” Churches of Britain and their Missionaries under the pretext of carrying the Gospel to the down-trodden races of the East. No wonder the *Christian Fakirism* of “The Honourable the East India Company” failed.

India, poor India! had suffered for ages from its own native nabobism, semindarism, fakirism, and the scourge

of every village—the *ism* of the native Jew. Her inhabitants were sunk in oppression, misery, and despair. They hoisted a *flag of distress*! More than one invader landed and offered help. A general scramble followed—the Fates decided in favour of the British. The passive Indians were glad to barter their home-grown oppression for the British imported article, which *The Honourable the East India Company* agreed to supply on the most liberal terms.

In too many cases "*British Liberty*"—the liberty to rack-rent and evict! the "*Liberty*" fought for and gained at Waterloo! was too liberally supplied; it was poured down their throats without any ceremony and quite regardless of native etiquette. It is too true, it is a sad fact, that this Company of British *Commercial Landlords* continued to carry on for fifty long years the same system of freebooting after Sir James Mackintosh drew that painful picture of British Civilisation, *plus* British Christianity in India, not as we find these things in "*Missionary Reports*," but as they actually existed in 1808, and continued to develop into more insulting atrocities, until at last the "*greased cartridge*," in 1858, came to the rescue of an almost utterly Heaven-forsaken land.

Strange that the match of Independence was after all kindled by the much despised poor old native religion! Strange, that the "*greased cartridge*" should have caused a Revolution which brought the neck of THE COMPANY to the block! Strange, that that "*Revolution*" should have led to the crown of India being placed on the head of VICTORIA as "*Empress of India*"! It is also somewhat strange that VICTORIA is only the powerless puppet of a number of hereditary or self-established

monopolists, who have usurped the absolute ownership of the land and wealth of this country, together with the whole rights of the people, and that Britons are almost as passive under injustice and oppression as any Indians ever were.

The poor "Empress of India" cannot stop that abominable tax *on the only luxury of the poor!* The British Soldier or Policeman would get orders to lock Her Majesty up in the Old Tower of London if she dared to interfere with any injustice, oppression, or robbery, of which the real rulers of the British Empire may be guilty. To please a section of *Jingoes* she is obliged to style herself the "Empress of India," but she dare not mention the salt tax. She is the Queen of England, but "Darkest England" she must not even refer to. She is the Queen of Scotland and Ireland, but the words "rack rents" or "evictions" must not pass her royal lips. And yet the Sovereign is *by law* the chief trustee of *all the land* in the three kingdoms, for behoof of the *whole people indiscriminately*—the landlords being only sub-trustees, and having no estate or property whatever in the land beyond the value of any improvements. This law is not administered by the judges in our Law Courts because they are only the agents and nominees of the landlords. They administer only Landlord-made-Laws. Professor Ogilvie had no favour for puppet monarchs or puppet magistrates. He tells us that the "original and contingent value of *the estate of every landholder* still belongs to the community, and though seemingly neglected or relinquished, may be claimed at pleasure by the legislature or by the magistrate, who is the public trustee" (Section 13). According to him, every limited monarch is an established

fraud. He says*—"It is only in purely democratical governments, or in unlimited monarchies, during the reign of a sovereign endowed with superior wisdom and capacity, that any sudden or effectual reformation of the abuses of landed property can be expected". But he adds—"The more unlimited that power is with which any monarch is invested, the more it seems incumbent on him *to attend with peculiar care to the protection of the common people*. Other ranks have their privileges, their wealth, and acquisitions of various kinds to protect and support them; but the common people have none of these, *and not having representatives in any legislative council*, as under limited monarchs, *the sovereign himself is in fact their representative*, and cannot but perceive that he ought to be in a more particular manner *the guardian of this helpless class of men*." The Professor then refers to FREDERICK THE GREAT, and has a quiet thrust at *Voltaire* for not having "suggested" to that famous prince, "in the earlier part of his reign, the idea of reforming the constitution of landed property". He also probably had in his eye JAMES I. of Scotland and HENRY IV. of France. The one tried to restore the land to the people, and wished justice administered "to the rich as to the poor, without fraud or favour". And the other, "this humane prince" (p. 49), "wished only to live that he might convince the French nation how much he loved them as his children". "The peasants," says *Voltaire*, "to this day remember a saying of his, *That he should be glad to see them have a fowl upon the table every Sunday*." For the crime of so loving the people both these princes were brutally murdered. James was

* *Essay*, p. 113.

murdered by the nobles, and the clergy plotted the assassination of Henry. But notwithstanding all that, Her Majesty, as the present reigning monarch, could, were she to try it, abolish that salt tax in India, and also abolish the unjust Land Laws there, and in England, Scotland, and Ireland as well. She is "*the representative*" of the "*helpless class*". She can say at any time, "I'll abdicate if you do not consent to abolish that salt tax imposed on my own particular constituents," &c. She could also say, "The power of the crown is the power of the people, and must not be used to oppress the people". She could very soon make a "*Black Friday*" on the Stock Exchange. The money lenders *on land*, and the borrowers, would be in danger of losing the puppet foundation of all their rights and titles; and the *Church of England* and the *Church of Scotland* would both be in danger of losing their head! What "*junctures*," what "*favourable opportunities*" for hastening a re-establishment of the people's rights, may be brought about by the mere word of a humane sovereign who wisely understands that he or she rules by the will and voice of the people!

When the real duties of a Sovereign are systematically neglected, and when a "factitious Aristocracy" have entirely forgotten the rights of the people, by whose mandate alone they act as legislature, it is then high time that "the *real* patriots of any country" should waken up. The real *Trafalgar* when "England expects every *real patriot* to do his duty" has yet to be fought. The real invader, not the shadowy *bogey* of the French Revolution, has to be *cut down* by the axe of Justice, and all useless and noxious *weeds* which now *cumber the land*, have yet to be uprooted and cast away. Sir James

Mackintosh, who vindicated the French Revolution, vindicated also, by anticipation, the Indian Revolution of 1858. But the mild and amiable Sir James, although a *vindicator* of Justice and Reform, was an exceedingly frail and timid *agitator*. He was somewhat like JEREMIAH, while his old *Master* was fashioned after the *ancient model* of MOSES.

To Professor Ogilvie's proposals of land law reform, Sir James furnished this *wet blanket*—"Practical effect here you must not hope!" He was only beginning to see that his old *master* really intended his *schemes*, not as mere "speculations," but rather to be adopted *practically*, "as of importance to the general welfare of mankind, and the improvement of their present state". His earlier impressions, formed at College, and noted in his *Memoirs* in 1805, were now (1808) seemingly undergoing a change. The College was the *bushel* by which he was prevented from seeing the light. "I should rejoice," he writes, "to see your speculations on landed property; for though, *on former occasions*, I suspected you of being more influenced by confidence in regulations than experience will allow." In a letter to Professor Dugald Stewart of Edinburgh, dated "Bombay, November 2, 1805," the following reference occurs: "A nephew of Dr. Reid, a young gentleman of the name of Rose, has lately come out here as a cadet, recommended to me by a very ingenious and worthy person, though not without the peculiarities and visions of a recluse, Mr. Ogilvie of King's College, Aberdeen". We shall see, further on, how imperfectly informed Sir James must have been, in regard to "this most ingenious and accomplished recluse". He seemingly had no idea that Professor Ogilvie was possessed of more practical knowledge of agriculture, and

the true relation of landlord and people to the land than perhaps was possessed, in the aggregate, by all the political philosophers of his time, the celebrated Adam Smith being thrown in along with the rest. He was by far too honest a man to attempt to write on any subject until he had first mastered the facts. The *Essay* itself is the best proof of this, and it would be impertinent to assert that the author was a practical and scientific man unless his work could stand the test of cross-examination. But nevertheless, the notion that he was only a *visionary and speculative recluse* was prevalent. That was one way of opposing his admittedly just and benevolent schemes. "What is the use," some would say, "of any schemes, however good, however benevolent, if they are not practicable *in this world*? The *next* is the place for these things! Therefore, any advocate for happiness *in this world* must be treated as a very dangerous heretic." We may guess the reason why Professor Ogilvie was a "recluse!"

The renowned George Buchanan was not a recluse, and consequently he was put in prison; and to escape being burnt alive, he had to fly from his own country. Like the Damascus heretic, he made his escape "through a window". Whether he was let down "in a basket," or had the benefit of a more modern fire-escape (!) history sayeth not.

Where is Buchanan now? Where is our Great Grandfather of British Liberty and true Radicalism, the hater of cant and tyranny? "A tyrant," says Buchanan, "is one that rules by his own will, and contrary to the interests of the people." The "opinion that a tyrant must be obeyed is wrong. For the people may justly make war against such a ruler, and pursue him till he be slain."

Where is Buchanan now? Behold his portrait figuring on the cover of the only Tory, the only respectable Conservative Magazine in Scotland, *Blackwood's*! How came he there? how continues he to be there? "*Maga*" ought to explain. But this is not more strange than to see the outside of many books, and also many churches, inscribed and ornamented with Christian tokens, while the inside is chiefly devoted to slavery, intolerance, and somewhat blasphemous notions of the Creator. "What's in a name?" Witness the name of Jesus Christ and the Spanish Inquisition! the slavery of Protestant America, or the landlordism of the Gospel-spreading islands of Britain and Ireland!

Where is George Washington now? Witness the great American Republic! Is not her "Independence" now used as a taxing machine? Where are now those ancient tea chests? Frailty, thy name is "*American Independence!*" And where are the British feudal landlords now, who got the land *in trust* for the people? They are levying a tax *on the people*. They call it "rent," and give no account of their stewardship. Where is the head trustee—the Sovereign?

Hush! Holy William "the Conqueror" of Saxon England, with your great Domesday Book. Hush! also all ye little Williams of the same "holy" order who innocently glory in the shame of *his* Norman blood!—the blood of an unchaste Celtic woman, the undoubted mother of that same notorious Holy William; and heaven itself knows who his real father was! He was a born usurper, who manifested no sign of princely blood in his veins. True monarchs are seldom, or never, notorious for their despotism; they do not require to uphold their dignity by excessive pageantry; but

upstarts like the bastard son of this skinner's daughter always indulge in vain pomp, and they invariably show the cloven hoof of tyranny, which is one of the meanest of plebeian vices. Tyranny is a developed form of the worst kind of envy, and envy is generally the offspring of abject poverty and servility, and always implies an admission of conscious inferiority on the part of those victims who exercise it. Hence we must conclude that some wretched monk must have been the real father of "The Conqueror"—probably a Norman. It is enough degradation for the Celt to act as standard bearer on the one side.

That grandfather skinner, or tanner, was a Celt, we have only the testimony of certain, not always very reliable, Norman chroniclers, who tell us that their ancestors, the "Normans, were *all* men of the sword," and they draw the line very sharply at leather! They keep a firm thumb on the process of tanning! The parchments on which these "ancestors" got their first grants to the land, *Novel Fee*, have nevertheless no other authority or warrant than the audacious and pious fraud of the bastard son of that skinner's daughter.

The system of *skinning* introduced by Holy William into the British Isles was ingenious and novel. He *skinned* the English people alive as well as dead, and he carried the art to great perfection; but it was left to a more refined age to *skin* human beings before their birth, as was actually done by the *Holy Willies* in power in this country during the latter half of last century and the beginning of this one. Is not the birthright of every Briton, a share of the "National Debt?" But what has become of every Briton's corresponding birthright share in the Country—in the Land? the protection of which

from invasion formed the main pretext of incurring this debt, and of allocating it indiscriminately on the shoulders of a defrauded population.

It is a huge fraud, and the most impudent, the most criminal, as well as the most extensive, ever committed since the creation. Think of it for a moment. The landlords abolished military tenure, and substituted money payments for military services. Then they pocketed this money for their own private use, and raised other money by taxes on the landless people, and by loans, *to pay for military expenses*. The most of the military money, by the way, was paid to themselves, their sons, and sons-in-law, in the shape of *military pay* and *pensions*. No wonder Lord Byron exclaimed: "War was rent!" Yes! they not only raised the price of the fruits of the earth, and thereby raised rents, which they, by a show of law, pocketed, but they also pocketed the bulk of the war taxes and war loans, and, on this account, they schemed and carried on war as a most profitable business:—

"Farmers of War! dictators of the farm;
Their ploughshare was the sword in hireling hands,
Their fields manured by gore of other lands."

Surely the united common-sense of England, Scotland, brave little Wales, and Ireland, will bring about a *day of reckoning*! Surely that day is not far off when the Domesday Book will be looked into, and the titles to all the land in these Isles will be examined. The Lords of the soil, let us repeat with emphasis, abolished the *only* title, the *only* tenure, the *only* alleged right *they* had to the soil—they abolished *military tenure*. They did so in England in 1672, and in Scotland in 1747;

and they have had no tenure of any kind ever since, barring the self-established tenure of Freebooting, which they term *Fee-Simple* ! The word "*Fee*" means an estate in land held of the sovereign as trustee *for the people*, or held of some royal sub-trustee, also *for the people*, and for which the holder, in the words of Camden, has to *do service or pay rent*. The word "*Simple*" means silly, and qualifies *people*—the people who are *simple* enough not to call the landholders to account.

"How preposterous," says Professor Ogilvie, "is the system of that country which maintains a civil and military establishment by taxes of large amount without the assistance of any land-tax at all! In that example may be perceived the true spirit of legislation as exercised by landholders alone" (*Essay*, p. 16). See also p. 33, where he says: "that their large incomes [from land rents] are indeed pensions and salaries of sinecure offices!" He was an eye-witness to the robbery which was perpetrated in Scotland in 1747, when military tenure was abolished, and the land, with all its rents and royalties, finally taken from the people by the darling Whigs, the Tories agreeing, the Courts of Law agreeing; and, let us note, that the "Protestant" Clergy have not to this day made any *protest* against that robbery.

In tracing the facts which enable us to see that the author of *Birtheright in Land* was a thoroughly practical man, let us examine the innermost circle of his surroundings. We have already seen that he was a born landlord: that he inherited the lands of Pittensear near Elgin, as his father's only son. Both his parents died early, and about the year 1757, when he attained majority, he began to manage the family estate on his own behalf,

and also on behalf of the rest of the family, namely, four sisters, whose birthright, by the way, although they were only females, was secured by the will of a benevolent father—a transgression of *Law and Order!* which the male heir did not seek to dispute.

His father, and also his grandfather, did not belong to the *idle* landlord, good-for-nothing *gentry*; they were intelligent farmers, and keen improvers of land, who cultivated one-third of the property as a manor farm, the remaining third being let to tenants; and he continued in the footsteps of his sires as Laird of Pittensear up to the year 1772. He then sold the property to the Earl of Fife, but reserved to himself for life a lease of the mansion house and manor farm, which he retained “to the last parting pang”. He never was married, and Pittensear was retained as a home for his unmarried sisters as long as they lived, and as a summer retreat for himself. We gather that he had early experience as a landlord, as a gentleman farmer, and subsequently, from 1772 to 1819, as a tenant farmer, paying rent to the Earl of Fife.

His first declaration as a Land Leaguer, it will be remembered, was made on 12th September, 1776, and, that being so, certain readers will doubtless be apt to give him the benefit of exercising some worldly wisdom in ceasing to be a landholder, by selling out, before becoming an “agitator” for the equal right to a share in one’s native land. That’s what an ordinary man would have done. But how many ordinary men should we require to roll together into one human lump to produce another William Ogilvie? We see the risk of founding hasty conclusions by weighing him as a mere commercial landholder, “who,” to use his own words, “is

of all citizens the most pernicious". We are, however, saved from any such hasty conclusions.

He was a bachelor, but he nevertheless approved of a bachelor tax. He was a University professor, but he nevertheless advocated the abolition of the despotic powers exercised by Universities. He was, as far as we are able to gather, a born and bred Tory, but he nevertheless preferred the rule of the people, not only of States, but of all institutions and orders whether religious, political, or educational. He was a born and bred landlord, and he also held *property in land* as a purchaser who paid down a price, and as an improver who paid and laboured for an *improved value*, but he nevertheless vindicated the agrarian law of Moses and David—*The Land for the People*. He saw the justice as well as the expediency of THE SINGLE TAX. He agreed with John Locke in regard to the supreme claim of Labour as man's title to property in land. But he went further. He pointed out that the claim of *Labour* is bounded by the precise value of the improvement effected, namely, the value created by Labour, and that this created value can never preclude the birthright claim of any person to an equal share in the original or "prairie" value of the soil, and also in the "contingent," or, what he calls the "improvable value of the soil" (Sections 12, 13, and 14 of *Essay*). He restored the doctrine to its original Mosaic basis.

What an exposure he has made of the various institutions and orders whose chief aim is to conceal the truth and to perpetuate injustice, namely, Universities, Colleges, Courts of Law, Religious Sects, Political Sects, and the whole fraudulent fraternity of human parasites which hang about the courts of kings, lords, and other

rulers—*The Powers that be!*—the veritable *Powers of Darkness!* which, with all deference to St. Paul's Commentators, are *not* "of God".

The Duke of Argyle and Mr. A. J. Balfour admit the monstrous injustice of robbing innocent babes, and of oppressing the fathers and mothers of birthrightless children, but they piously put the blame upon the Almighty for instituting landlordism and for preordaining themselves as the mere instruments of His wrath and curse against mankind. To this orthodox creed 990 out every 1000 clergymen of all denominations subscribe. Universities and Colleges supply the necessary logic by which the orthodox clergy prove three things: 1st, God is good; 2nd, the Duke of Argyle, Mr. A. J. Balfour, and all such landlords are also good, because they have been appointed by God, who is the fountain of *Law and Order!* and 3rd, the people who are robbed of their birthright, and who are oppressed by rack-rents and evictions, and crowded into cities, are very bad and very wicked; they are born sinners. By the sin of one woman, Eve, *the whole human race fell*, we are told. Orthodox logic does not go further. But it implies that all preordained oppressors, who wallow in luxury, and for whom others toil and spin, are not children of Eve. Hereditary dukes, lords, and other monopolists come into this world with all the blessings of creation, and seemingly exempt from the prescribed curses of "original sin". They are *not* human; they must belong to another species, traditionally known in orthodox circles as the natural enemies of the human race! Such is the logical conclusion of orthodox logic!

Thus reasoned a young Highland boy who was born and dwelt in the neighbourhood of Inverary Castle.

He asked of his mother "the name of the other woman who gave birth to the immaculate and *un-cursed* family of the Lord of the Manor," as it would be high treason in a peasant boy to suppose that a ducal or landlord family could possibly be of common human descent, not to speak of the puzzle how the landed gentry could otherwise escape the curse put upon *all* the children of Eve. "What was the other woman's name?" repeated the boy.¹ The perplexed mother replied: "*Whisht*," and the boy thought for a while. "And it was the Devil that tempted Eve to eat the forbidden fruit," continued the boy. "Yes, my dear," replied the much relieved mother, on finding that her child was coming back to things which she could easily explain.

"But," says the boy, "if the Devil is a Land Leaguer, as the minister said last Sunday, why does he not tempt that other woman, *Whisht*, also? And then all landlords would be like other men; and father would get a piece of land to plough and sow, instead of having to go to the fishing, or to Glasgow to work in coal-pits; and we would be able to keep a cow, or perhaps two, and some sheep, and I myself would keep a dog, and you, mother, would not require to work so hard at washing clothes for the servants of the castle. And the castle might be turned into a great school, and the duke himself might teach something in it, and have many teachers there, instead of

¹ Young children often put very old-fashioned questions, but they are invariably answered in a most untruthful manner. "If common people are made of *common* dust," asked the same youthful enquirer, "was the Duke made of *gold* dust? and is that the reason that *money* is the root of all evil?"

flunkies and other servants who, *like the duke himself, do no good now*, excepting the gardener, and he might be retained as a teacher of gardening; and the duchess and her ladies might teach the girl scholars many things; and all might be under the School Board. And no school rates or fees would be required from the people, as the rents would be more than sufficient to meet all expenses; and prizes and College bursaries to all the best scholars could also be given from the rents."

The nonplussed mother was now obliged to admit that the Devil was not a Land Leaguer at all. "I was thinking that," replied the youthful logician, "because if he were he never would have done anything to bring about the eviction of Adam and Eve from the Garden of Eden, with the wrath and curse of God upon *all* their children, and condemned to serve the children of *Whisht*, as slaves and rent earners." "Surely," he exclaimed, "the Devil himself must have been the husband of *Whisht*, for he acts towards her children as if they were his own. God could not be guilty of such unfair partiality. What say you to all that, mother? You see, I am only using the minister's own logic, which he gave us last Sunday."

It is to be hoped that the days of Dame *Whisht* are numbered, that *Free Inquiry* shall lead the way to the *Tree of Knowledge*, and that the children of Eve will ere long have their rights restored to them. To accelerate the time, we are advised to communicate the hope of salutary changes, "especially if the object to be aimed at, and the means by which it may be obtained, have been again and again stated to the public in a variety of speculative views, and so rendered familiar to the understandings of men" (p. 67 of *Essay*).

The appalling darkness which exists at home and abroad, and which is being perpetuated by means of "what is called *Religion*," is the sole cause why the bulk of mankind allow themselves to be disinherited of their equal share of the soil, to which all human beings have an equal right, as they have to the air, to the light and heat of the sun, and to the whole productive powers of Nature. We know how and why Russians and Britons are kept entirely ignorant of the philosophy of Moses and David, of Epicurus and Lucretius. We know why Henry VIII. of England was a very pious man—*Defender of the Faith*! and we know why the Czar of Russia and the British Sovereign are the acknowledged vicars of Christ, as the *Heads* of the State Churches of Russia and Britain respectively. We know how and why the horse-mounted nobility of Poland, and their clergy, kept the peasants of that unhappy country in a more ignorant and more miserable state under Christianity than they were while under Paganism; and we know that Poland came to grief on account of the Priest-ridden condition of the peasantry. Paganism is opposed to Commercial landlordism, because the "four elements," *Fire, Air, Earth, and Water*, according to the Pagan mind, are held too sacred to be considered the property of Tom, Dick, or Harry.

Under the flag of Christianity, Poland had serfdom, and under the same flag, Commercial landlordism flourishes in Britain and her colonies. In the year 1889 the amount of money subscribed and bequeathed in the British Isles towards Foreign Missions was £1,301,306. Of this sum we may safely say that not less than £1,000,000 was devoted to the spread of *Commercial* landlordism; and of the balance left for

Christianity, it would, it is believed, be difficult to show that £1000 was expended in promulgating anything like the agrarian doctrines of Moses. The proportion of the tithes appropriated by the State Clergy, and the voluntary offerings to the non-established Clergy, actually utilised for maintaining the doctrine of rack-rents, evictions, and other forms of landlordism in Great Britain and Ireland is equally large; and the proportion devoted to real Christianity, and to the agrarian principles of Moses, is equally small and shameful. When the church was held captive by the sword, there was some excuse. There is none now.

But let us return to the selling of Pittensear, in 1772, and the declaration of William Ogilvie's contemplations and schemes of land rights in 1776. His father's Will burdened the family property to the extent of 4500 merks in favour of his sisters, and very probably this led to the sale. His wish to make his own Will, expressed in the MS. of 1776 (p. 182 *supra*), he carried out in July, 1777. It was wholly in favour of his sisters, excepting that it discharged a sum of money he had lent to a cousin, and contained a bequest of some of his books to the Library of King's College, Aberdeen. Having, however, survived all his sisters, he cancelled this Will, but the document itself has been preserved, and we have got from it a clue which has led to the unearthing of the following facts:—

In the year 1773 our "Agitator" and ex-landlord purchased for £1500 the property of Oldfold and Stonegavel, situated on Deeside, about six miles from Aberdeen. He held it for thirty-five years, and when he sold it, in 1808, the price he received was £4000. But the difference was not all profit. About

the year 1798 he borrowed £2000 from his old friend, the Duke of Gordon, and of this sum he expended £1910 in draining, trenching, and blasting, and more than the balance was paid away in connection with the valuation and purchase of tithes.

In the year 1802 we find him carrying through a Process in the Court of Teinds, by which he saved the property from being plundered by increased tithes on the increased value arising from his improvements. He got the tithes valued according to the old rental. The tithes or teinds were then fixed at £9 10s., of which only £1 8s. 8d. reached the Parish Minister, the balance going to the tithe-owner, which happened in this case to be the Crown. He knew how to prevent the tithe-owner, and also the parson, from robbing the labourer of the value of his improvements on the land, and he adopted the proper precaution. The Process he raised, besides fixing the value of the tithes, concluded for a sale of the surplus to himself, and decree was obtained accordingly, for the sum of £68 5s., being at the rate of nine years' purchase of the amount of surplus or "free teind".

We see that "our accomplished recluse" was not a mere theorist who allowed his mind to run after what is called utopian fancies. The practical knowledge displayed in the *Essay* he manifested in a material manner on the barren lands of Oldfold and Stonegavel. "There is," says he (p. 26), "no natural obstacle to prevent the most barren ground from being brought by culture to the same degree of fertility with the kitchen garden of a villa or the suburbs of a great town." And he tells us how to do it. But those readers who are not acquainted with the principles of agriculture, and who also are strangers to the principles of morality and justice, such

as the so-called economists of the J. R. M'Culloch school, cannot be expected to appreciate the author's knowledge, unless we drag them to the very ground upon which he carried out his experiments, and there show to them the fruit of his labours, in the shape of an extraordinary increase in what we shall call *earned* increment.

The property of Oldfold and Stonegavel changed hands about thirteen years ago, when the trustees of a Widows' Fund in Aberdeen purchased it at £12,000, as an agricultural subject, and merely as an investment, without any mansion-house, or woods, or any value for sport. Prior to 1757 it only yielded a yearly rent of about £12, being then in its natural state, and let to a sheep farmer. The yearly rent it yields now is about £410, and the gross annual value produced, let us estimate at, say, £1640, when we take landlords (freeholder and feuholder), farmers, labourers, tradesmen, and merchants, &c., who all get a share, into account. Its gross annual value, produced from a stock of sheep and the labour of one miserable herdboy, up to the year 1757, would not exceed £36.

It will be seen that the rise in the producing value of this property is much greater than the rise which has taken place in its selling price. The rise in the price, let us observe, was a direct benefit to the owners, while the rise in its producing value benefited the whole community; a fact, by the way, which the advocates of absolute private property in land should note, in regard to their dog-in-the-manger doctrines about waste land, game preserves, and pastures, while there is one idle Briton who is *willing* to work, and who wants land for cultivation and improvement.

The facts and figures connected with Oldfold and

Stonegavel embrace an object lesson, apart from their interest in giving us a glimpse of the author of *Birthright in Land*, successfully putting in practice the principles laid down in his *Essay*.

Should we not ask, in the face of such facts, the reason why this piece of land remained in a state of nature until the beginning of this century? Our forefathers had the same willing God, the same heat-giving sun, the dew and the rain descended, the same atmosphere was there, and the same elements were always at work, the reproductive powers of nature for the multiplication of plants and animals for man's use were then on the same friendly terms with man as now. We approach the landlord himself for an explanation of this deadlock, this most sinful neglect of divine powers, carrying starvation and misery to the homes of human-kind instead of the happiness and comfort which Nature not only intended, but amply provided for all.

Let us turn to page 23 of the *Essay* for his answer. He says—"The chief obstacle to rapid improvement of agriculture is plainly that monopoly of land which resides in the proprietors, and which the commercial system of the present age has taught them to exercise with artful strictness almost everywhere". This is the truth as seen and presented to us by William Ogilvie; a truth which is apparent to all, if people would only make use of their eyes.*

That *he* himself did not accomplish a more rapid improvement on this property, we are not surprised. We

* *Labour* is like a slave, while *Landlordism*, as master, holds the field, and insists upon a ransom at every turn: Gold! gold! gold! until at last the slave is tied by a chain of gold, which is heavier to bear, and more difficult to break, than the old feudal iron chain.

know of his very serious illness in 1776; we know of his then resolution to write the *Essay*, which occupied his attention up to the year 1781; and we know that after he got this sacred task over, he for some years employed his mind with serious assiduity to the reform of University education, it being his firm belief—a belief he held in common with his favourite philosopher and poet, Lucretius, that the darkness which covered the land with weeds, bogs, or boulders, producing scanty food for man and beast, could only be dispelled by the Light of Nature in the inward soul acting on the radiating powers of Reason; in a word, by Truth, Knowledge, or Science.

He clearly saw that error, darkness, and misery are always maintained under the reigning trinity of superstition, servility, and tyranny. The main object of his *Essay* was to make the light of Truth shine into the souls of the lower orders of mankind, whose passive obedience to injustice and tyranny is entirely due to “the established rules of [*some form of superstition* *] which are in every country accounted permanent and immutable, as being fixed by the destination of Nature”—*of God*. The ‘cultivators have no clear perception of the injustice and oppression which they suffer. They feel, indeed, and they complain, but do not understand, or dare not consider steadily, from what cause their grievances take their rise.”† And there be some tyrants who cannot help believing that they are doing God’s work, because they are brought up in a faith which teaches that to rebel against them is the same as to rebel against Him.

* “Humana ante oculos fœdè cum vita jaceret
In terris oppressa gravi sub Religione.”

Lucretius.

† *Essay* p. 7, *Note*.

Trade unionists and *blacklegs* war against each other, and both parties are equally ignorant of the real cause why one man has to beg of another "for leave to toil"! and they blindly *tramp* the remedy under their feet!

Men cry for bread; in their ignorance, they cry like children; they jostle each other into the London docks on the one side of the globe, and into the Melbourne harbour on the other, scrambling for "*leave to toil*," as if all the land in the world were already fully occupied, and fully cultivated.

What is the fact? We need not speak of the oceans of prairie land in the continents of Australasia, America, Africa, and even old Asia: Let us begin at *Jerusalem*.

In the British Isles alone, we have 109,375 square miles of land fit for cultivation, of which only 62,500 square miles are cultivated, and an aggregate area of 46,875 square miles is lying *waste*, as such land is justly called. This *wasted* area is larger than the whole of Ireland and the half of Scotland put together. Let us think of this for a moment. And let us also think of the fact, that the so-called *cultivated* portion of the British Isles is not nearly half cultivated yet, as compared to what might be done under a more improved system of cultivation. We see how all improvement is retarded by ignorance. Men being kept systematically ignorant of their right to the soil, must, of necessity, remain ignorant of the proper manner of improving it, and, even as trained *slaves*, they dare not exercise the knowledge they have without the approval of their *masters*—the landlords. And why should they improve the landlord's land?

Mr. Buckle remarked that Scotland is the most priest-ridden country under the sun, not even excepting

Spain. Here is some proof of it. The area of Scotland is about 30,500 square miles, of which only about 7571 square miles are cultivated, being something less than one-fourth of the total area. The Scots, the descendants of the men who held *their own* against the Romans, and other formidable invaders, are now treated as aliens in *their own country*! Three hundred and thirty individuals hold about two-thirds of all the land in Scotland. Seventy individuals hold about the half of it. Twelve individuals hold about a quarter of it. One blessed individual holds 1,326,000 acres in Scotland, and has 32,095 acres in England besides. Altogether this heavenly-ordained grandee is permitted to hold 2122 square miles of land in this Christian country, from which men are forced to emigrate "in search of their natural rights and most salutary occupation". The men who thus go, as well as the women left behind, are the victims of sanctified ignorance. Notwithstanding our Christian pretensions, sanctified ignorance is still the *established* rule in the British Isles. The Universities teach it, the Churches preach it, the Courts of Law "decree" it, and a mercenary military enforce it. Having traced the evil, let us not higggle about the remedy: a clean sweep is necessary.

These fire-tongued facts only require to be once proclaimed in every parish in Scotland, and the British Isles generally, in order to bring about a much-needed Revolution. The *Powers of darkness*, which now reign over the British Isles, are: 1st, *The clergy*; 2nd, *The lawyers*; and 3rd, *The military*. The darkness is so dense that there is little difficulty in finding plenty of men who sell themselves as slaves *at one shilling per day* to serve in "the rank and file" of *the military*, binding

themselves to shoot even their fathers and mothers at the mere command of an "epauletted puppy"—a creature whose "military honour" (!) can boast of a midnight stalk on the Egyptian patriots of Tel-el-kebir, and such-like wolfish and cowardly samples of modern chivalry—the chivalry of civilisation!

The history of Scotland, if written with the pen of truth, might be made most instructive to the whole human race. How did Scotland stand in Professor Ogilvie's time? We have mentioned that he witnessed the sleight of hand—to borrow that view of it from the language of Lord Salisbury—by which military tenure and "clannish tenure" were "slipped" into the present tenure of *commercial landlordism*, "entirely to the advantage of the landlords". Lord Salisbury admits that the people were robbed and swindled in the most impudent manner possible. They were robbed of their Liberty and Property. They were indiscriminately robbed. The rank and file who fought *for George* (!) at Culloden were robbed as well as the so-called rebels of those days. They were probably satisfied with the fraudulent "heavenly mansions" which the State Church then dangled before their eyes.

The clergy then acted chiefly as gamekeepers and gillies to the Lords of the soil. Man-hunting was the fashionable sport of the day. We are, perhaps, indebted to the Duke of Cumberland for the introduction of amusements of a less brutal kind. He encouraged pony races with soldiers' wives as jockeys, riding astride-ways, in order to vary the monotony of the ordinary sport of shooting and hanging human beings, in which he, and his accomplice, the Duke of Argyll, indulged in those days. Where was the *Law of the land* then? Let us

here *note* that every man, woman, and child killed by the *Royal Army* after the battle of Culloden was a clear case of murder. Every tenant was bound by the *Law of the land*, until 1747, *to follow his feudal chief to the field*. And the so-called *rebels* who followed their *feudal lords* under the banner of Prince Charlie in the '45, did so in accordance with the *Law and Order* then in force. Had they refused, they would then have been *real* rebels. Consequently, we find that not a single individual *of the rank and file* of the "rebel" army could be tried in a Court of Law, hence the necessity of shooting and hanging them without the ceremony of a trial. The Duke of Cumberland, upon the whole, seeing that he was only a mercenary soldier, who took his orders from the Duke of Argyll, the real ruler of Scotland at the time, did his part of the work with as much humanity as could be expected of a professional master "butcher" of human beings. We have this on the authority of the Scottish, and also of the English Protestant clergy, in the praises and prayers they *sent up* (!) in favour of his good deeds.

The indiscriminate plundering, as well as murdering, which went on after Culloden, produced many songs and ballads in favour of "Bonie Prince Charlie". The idea of personal liberty or justice—except through some "*anointed*" despot—did not then exist. Buchanan was dead, buried, and slandered into oblivion, and Burns was not yet born. The clergy of the Established Church were used as the legitimate tools of oppression in the hands of the county *gentry*, and in the hands of the equally-corrupt *Masters of trades* and merchants in Burghs. But there was, at least, one noble exception, The Rev. John Skinner, who in the last verse of his

“Song of songs” — *Tullochgorum*, cursed the *fig-tree* Christians of his time in the following manner :—

“ But for the sullen, frumpish fool,
That loves to be Oppression's tool,
May envy gnaw his rotten soul,
And discontent devour him ;
May dool and sorrow be his chance,
Dool and sorrow, dool and sorrow,
Dool and sorrow be his chance,
And nane say, ‘ Wae's me for him ! ’ ”

The clergy after the '45 did their utmost to extinguish the *soul of freedom* in Scotland, while they themselves, especially the State clergy, held a high old time of it, domineering over the people and wallowing in whisky punch. If anyone mentioned injustice, oppression, or tyranny, he was instantly gagged. The opening lines of *Tullochgorum*, written with unusual sarcasm, contain a true picture of clerical life and doings in those days :—

“ Come gie's a sang, Montgomery cri'd,
And lay your disputes all aside :
What signifies 't for folks to chide
For what was done before them !
Let Whig and Tory all agree,” &c.

Military tenure, we have seen, was abolished in 1747. As a youth Ogilvie witnessed that *juncture*—that *favourable opportunity*—whereby the Scots might have got their natural rights restored “had they been themselves aware of their title to such rights” (*Essay*, p. 67). A large portion of Scotland was then “nationalised”: the estates of the rebel chiefs were forfeited to the Crown. But how much of these lands was given to the people? Not one square inch was given even to the “loyal men” who

fought and conquered the "rebel" army at Culloden ! No dogs of war were ever treated with more justice—*deserving* justice—than these "loyal" simpletons. The simpletons who fought on the other side *for* "Bonie Prince Charlie," instead of fighting for their mothers, wives, and the birthright of their children, were also treated in accordance with justice. Still, let us not forget that they were groaning under tyranny, and were, therefore, ripe for opening the door even to any invader, not to speak of welcoming a descendant of James I. It was, however, impossible, though men and women could, that heaven would stand a *Third Charles* !

The same Act of Parliament which abolished military tenure in 1747 abolished also the feudal hereditary jurisdiction of all the landlords in Scotland. Until then we must not forget that the landlords had the power to hang, drown, or dungeon the people as they liked, just as they now have the power to shoot grouse, deer, and other wild animals ; but with this difference, that there was no close time—they could hang people all the year round ! It was a great privilege, and one upon which the majority of the landlords put some value ; and, of course, they lodged a claim for compensation !! The matter was decided in the Court of Session in the year 1748. They claimed the sum of £1,587,090 sterling, and that Court allowed £152,037 12s. 2d. as a redemption price of the sole right and privilege of that form of Scottish landlord sport in all time to come.

The following is an *Abstract of the particular* "SINECURE OFFICES" * *that were in this manner bought up* :—

* See p. 33 of *Essay*. Besides judicial offices, the landlords were also bound to act as army officers at all times when required. They still draw the "*salaries of sinecure offices*" !

1 Office of Justice-general,	£15,000	0	0
2 Sheriffships for life,	3000	0	0
4 Redeemable Sheriffships,	10,666	13	4
14 Sheriffships not redeem- able,	£46,562	1	6
2 Stewartries, parts of Shires,	12,147	0	0
2 Deputy Sheriffships, parts of Cromartie,	88	14	6
5 Stewartries, parts of Shires,	4978	7	10
4 Constabularies,	3500	0	0
46 Regalities,	29,424	12	10
28 Bailleries of Regality,	18,481	6	1
6 Royal Bailleries,	6268	16	1
10 Clerkships for life,	1920	0	0
124 Offices in all,	£152,037	12	2

This sum was accordingly voted by a Parliament of landlords *to his Majesty* (!) for discharging the above claims on the 25th day of April, 1748. "*To his Majesty*," these Parliamentary pickpockets said, instead of *to themselves*. "His Majesty" never saw one copper of that money. Why say *to his Majesty* then? It was an open swindle; the money voted was public money, and, in order to sanctify the swindle, it was necessary to mix it up with the "Lord's anointed"! After that, any person who raised an objection would be treated as a heretic. The impudence of the swindle is truly unfathomable. Let us not forget that the persons who at this time relieved themselves of all military and judicial duties retained not only their titles of dukes and lords, but they also retained *all the emoluments* of their demitted offices. But they retained a great deal more than that, namely,



the rents of all the lands within their former military and jurisdiction dominions. In short, the lands they up to this time (1747) held as officers or officials under the Crown they now seized as private property.

The following samples of claims, with the amounts allowed, illustrate the saying that "truth is stranger than fiction":—

The Duke of Gordon, Cosmo George Gordon—

Sheriff of the Shire of Aberdeen, . . .	£3000	0	0
„ „ Inverness, . . .	2000	0	0
Lord of Regality and Justiciar of Huntly, . . .	10,000	0	0
Lord of the Regality of Urquhart, . . .	1000	0	0
Baillie of the Regality of Spyne, . . .	2000	0	0
„ Keig and Monymusk, . . .	500	0	0
„ Kinloss, . . .	1500	0	0
„ the bishop of Aberdeen's lands in Aberdeen and Banff shires, . . .	2000	0	0
Constable of the Castle of Inverness, . . .	300	0	0
	£22,300	0	0

Reduced by the Court to £5,282 19s. 6d.

This claim, it will be seen, was not overestimated. The amount allowed was equal to more than a double share of the spoil, on a comparison of the *total* claimed (£1,587,090) and the amount (£152,037) allowed.

The Duke of Argyll, Archibald Campbell—

Sheriff of the Shire of Argyll, . . .	£5000	0	0
Justice-general of the Shire of Argyll and of the whole islands of Scotland, ex- cepting Orkney, Zetland, and Arran, . . .	15,000	0	0

Lord of the Regality of Campbell, Baillie
 of the Bailliery of Tiree, Baillie and
 Steward of the Earldom and Lord-
 ship of Argyll, and Constable and
 Keeper of the Castles of Dunoon, &c., 5000 0 0

£25,000 0 0

Reduced by the Court to £21,000.

The Duke of Argyll's claim discloses the comparatively high value put on the *game* pursued by his Grace in those days ; but, nevertheless, his Grace's estimate was evidently considered too moderate by the *impartial* (!) Court of Session, which allowed more than eight times the due proportionate share of the spoil.

N.B.—The very high value judicially put upon the *game* in Argyllshire, and in the *islands* over which the Duke of Argyll had the exclusive right of shooting and hanging prior to the '45, is to be noted as compared with the Duke of Gordon's *preserves*. The Duke of Argyll's Factor was also the Lord President of the Court of Session. This explains the milk in the (Argyll) cocoa-nut, and *The Reign of Law* of those *Christian* times !

Aberdeenshire contains 1955 sq. miles, with 267,990 pop.
 in 1881.

Inverness-shire contains 4256 sq. miles, with 91,000 pop.
 in 1881.

And Argyllshire contains 3210 sq. miles, with 62,000 pop.
 in 1881.

These figures should also be compared with the figures given further on (p. 359) referring to *allotments*

and *small holdings*. There is some *Christian knowledge* in such facts and figures worth *propagating*!

Let the reader imagine that all the excisemen in the British Isles somehow got all political power into their own hands, that they then demitted their offices and put in a claim for compensation for giving up the pleasure connected with smuggler-hunting, including occasional bribes for *letting people off*. (The landlords took *finés*, which is only another word for *bribes*.) These retired excisemen then vote public money to pay this "compensation," a puppet King gives the necessary assent, the Bishops in the House of Lords say *Amen*! and all curates and clergy throughout the country echo *Amen*!

Then these excise *lords*, let us say, keep all the excise duties to themselves; they manage all the distilleries and breweries as their own private property; they raise the excise duties to any rate they like: being proprietors *by law established*, who can interfere with them "to do as they like with their own"? They "*impose*" duties on other things; they tax everything under the Sun except distilleries and breweries; they tax the Sun itself for several years (the window tax); and they make the people pay the salaries of the new excisemen, who, by the way, are kept as mere flunkies to these idle lords. This imaginary swindle is only like a drop in the bucket as compared with the appropriation by the landlords of all the land—all the productive powers of Nature, necessary for the sustenance and enjoyment of the community—*Community*! Verily the bigger swindle has actually been perpetrated, and we still assert that *the age of miracles and witchcraft has gone by*. What meaning has the word "community" now?

"Ye men of wit and wealth, why all this sneering
 'Gainst poor excisemen? Give the cause a hearing:
 What are your landlords' rent-rolls?—taxing ledgers!
 What premiers?—what ev'n monarchs?—mighty gaugers!
 Nay, what are priests?—those seeming godly wise men—
 What are they, pray, but spiritual excisemen!"

Burns.

Professor Ogilvie with a "gentle hand" also exposed these "excisemen" (*Essay*, sec. 38), but he was coerced to conceal himself like a smuggler in a cave. We are indebted to the *Seven Wise Masters* for being instrumental in bringing him out in 1786, and as a token of gratitude for that service, their portraits, from a sketch made by a local artist at the time, are given in this volume. The original plate (engraved by the well-known John Kay of Edinburgh) has the following explanations at the foot—the words in italics being now supplied as an additional key to the picture:—

1. The Beauty of Holiness Lecturing: *The Rev. Skene Ogilvie, D.D., minister of the First charge, Old Aberdeen.*
2. Had you not sold your Patronages, First minister might have been annexed to my Divine Chair of Verity and Taste: *A. Gerard, Professor of Divinity.*
3. Annually for forty-five years and upwards I have beat up, even to the Ultima Thule have I recruited our University: *Rodk. Macleod, Regent.*
4. I have rendered Vernacular the Greek Language from Aberdour to Aberdeen: *John Leslie, Professor of Greek, Tutor to Lord Aberdour.*
5. Agriculture is the noblest of Sciences, Mind your Glebes, the Emperor of China is a Farmer: *Jo. Chalmers, Principal.*

6. Has not the Effulgence of my Countenance been a
Light unto your Feet and a lamp unto your Path :
Thos. Gordon, Regent.
7. College Property, Patronages are unalienable, so
says the Law, the Noble Patron has rewarded
most justly your Rapacity : *Wm. Thom, Civilist.*
8. Degrees Male and Female, in Medicine and Mid-
wifery, sold here for Ready Money : *Wm.
Chalmers, Mediciner.*

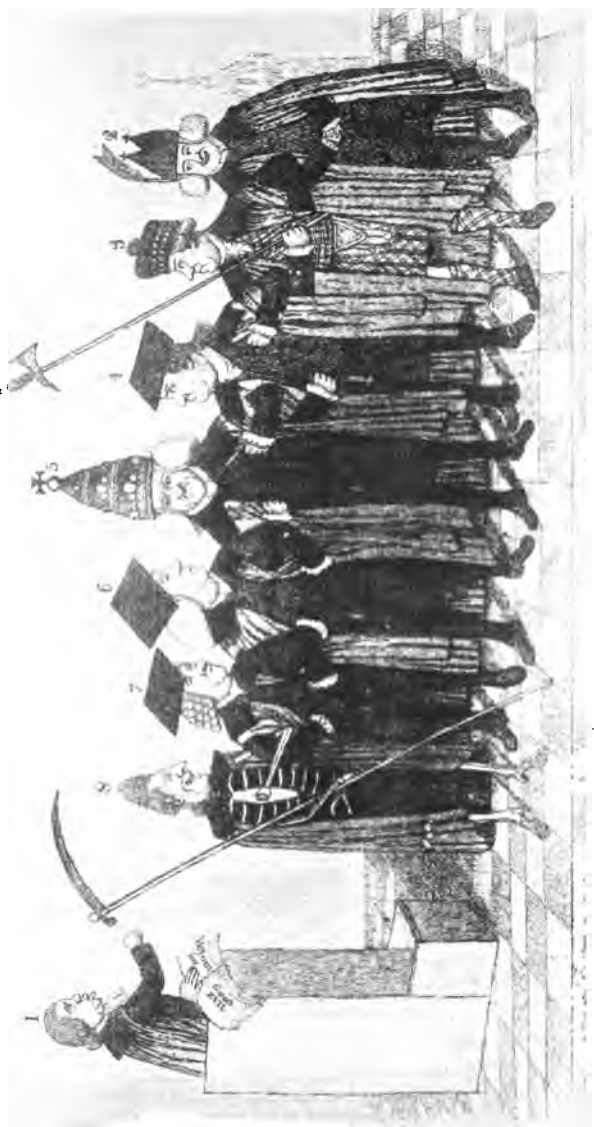
The rough outline of Professor Ogilvie's brow does not belong to the original plate. It is from a scrap found with his miniature. It is now added as a sort of key to the portrait as regards the formation of the forehead, to which the wig, unless closely scanned, gives the false impression of a receding forehead.

The controversy between Professor Ogilvie and his obstructive colleagues in connection with University reform, was carried on with much vigour and sanguine hope of success, until the Pitt-Dundas administration gave its word of command—*as you were*. The Reforming Party, it may be noted, acted all along with remarkable magnanimity ; and, as occasion offered, indulged in some sparks of humour. Professor Ogilvie, along with Professor Stuart of Marischal College, was the joint-author of some of the spiciest contributions. A rhyming lawyer, Jo. Marschal, who appreciated the situation, advocated the cause in the following lines :—

"TO THE MEMBERS OF MARISCHAL COLLEGE.

" Since Solomon told us, as sure as a gun,
That nothing at all is *new under the sun*,
We're bound to believe that all *new* things are evil,
And come from that Prince of the Air called the D—I.
From that subtle spirit, without any question,

The Sapient Septemviri



be

Springs every *new* notion, and each *new* suggestion.
 What else could inspire you Reformers to aim
 At an Union of Colleges here—O for shame!
 Retract, and avoid all the dismal disasters
 Foreseen and foretold by

“*The Seven Wise Masters!*”

The genial author of *Tullochgorum*, the Rev. John Skinner, adapting the old *Rhymer* prophecy of “Dee and Don shall run in one,” wrote some lines in favour of the *Union*, concluding as follows:—

“In honour then of Scotland’s bard,
 Let *King* and *Earl* agree,
 And Bishop *DON* submit, though hard,
 To join with Marishal *DEE*.
 So shall the old prophetic dream
 Explain its mystic course,
 And learning’s long-divided stream
 Shall run with double force.”

By-the-way, the Rev. John Skinner was a sturdy Land Leaguer in his day, who used his pen in prose as well as in verse in favour of the people’s cause. And it is not improbable that he and Professor Ogilvie *compared notes* on the Land Question as well as other things. But like the *Twa Dogs*, this must be left to the reader’s own conjecture, for want of direct evidence. It is, however, worth noting that these three Land Leaguers, *Tullochgorum*, *Luath*, and Ogilvie, *alias Cæsar*, were all closely connected, *and associated*, under the genial patronage of one man, namely, Alexander, fourth Duke of Gordon. It is also worth noting, as a special feather in Professor Ogilvie’s cap as his tutor, that this nobleman was a model landlord, whose example and influence in the North of Scotland in those dark days cannot be over-estimated. Notwithstanding this, the memory of Duke

Alexander, "*The Cock of the North*," and the author of the most popular version of the song "*The Reel of Bogie*," has been buried in oblivion almost as completely as the memory of his accomplished tutor.

Thanks, however, to Burns for his picture of *Bonie Castle Gordon*. We there get a view of the "princely" manner in which Professor Ogilvie's pupil performed his duty and office of landholder. He was not a 'sinecurist, neither did he belong to the *commercial* or "*guinea's stamp*" tribe of landlord. Burns visited Gordon Castle on September 7, 1787, and made the following *note* in his *Diary*: "Fine palace, worthy of the noble, the polite, the generous proprietor: The Duke makes me happier than ever great man did—noble, princely; yet mild, condescending and affable, gay, and kind—the Duchess charming, witty, and sensible—God bless them!" These everlasting words have embalmed the memory of one of "the worthy and humane *English* landholders," who resided in the so-called "*Northern Counties of England*," to whom Professor Ogilvie dedicated his *Essay*.

Burns, let us observe, draws a comparison between the management of India's plains, under *The Company*, and of the *Bonie Castle Gordon* domains, under the pupil of Professor Ogilvie. He says:—

"There commix'd with foulest stains
From tyranny's empurpled bands: *
These, their richly gleaming waves,
I leave to tyrants and their slaves;
Give me the stream that sweetly laves
The banks by Castle Gordon."

The reader already knows that Professor Ogilvie

* The judges, and the whole banditti machinery by which *The Company* robbed the natives of India.

took a keen interest in Indian land-law reform. Did he meet Burns at *Bonie Castle Gordon*, and did *they two* then discuss about Indian landlordism? If they did not, it then becomes even more interesting to trace the strong affinity which existed between the contemporary souls of these two remarkable men. But regarding probabilities, it is right to add that one of Professor Ogilvie's sisters was married to William Tod, the Duke's Factor at *Bonie Castle Gordon*, and that the Professor was a frequent visitor there. Dr. Currie might have assisted us here, but we know why in those days he had to hide the date of

“Scots! wha hae wi' Wallace bled”.

Perhaps for a similar reason he kept his thumb on the name of that *anonymous* “gentleman” he describes as “a particular acquaintance of the Duke,” who delivered the Duke's invitation to the Poet's fellow-traveller “in all the forms of politeness,” in order to prolong the Poet's visit at *Bonie Castle Gordon*. Who was that gentleman? The reader will find some conjectures as to *Luath*, and a probable human *Cæsar*, in Section xiv. of the *Appendix*. In the case of hidden facts—purposely and systematically hidden—the inquiring mind naturally, and by the law of necessity, takes refuge in its own conjecture.

Having referred to the Duke of Gordon as a landholder who acted on the principles enunciated by his tutor (*Essay*, p. 8), “that the situation of a proprietor is more allied to that of a prince than that of a merchant,” it is a most pleasing retrospect of those dark days to find in the so-called “*Northern Counties of England*” several other “princely” landholders besides the Professor's own special pupil. Indeed, the majority of the readers of

these *Notes* will be surprised to know that almost the whole of the nobility of the North of Scotland rowed in the same boat with Professor Ogilvie in connection with his scheme for the reform of University Education—a scheme for dispelling the appalling ignorance which then tyrannised over the minds of the people, and which, let us admit with shame, still holds the minds of men and women captive, with their bodies also held captive, and, like beings entirely void of reason, huddled up here, scattered abroad there, singing and praying in one place, murdering and soldiering in another, working to death inside certain workshops, starving outside in millions *for want of work*, on account of being excluded by walls from the great Workshop of Nature ; all owing to the magic spell of Ignorance. And this *Magic* is called *God's Providence* ! The Universities still maintain it as a “divine” doctrine, and they grant licences for the teaching of it, notwithstanding the fact that Providence never built any wall or barrier to labour. Ignorant human slaves have built all the *walls* in this world.

It is the same to-day as in the days of ancient Egypt, when Moses found his kinsmen busy making bricks and building the walls of “treasure-cities *for Pharaoh*” ! The landlords’ enclosure-walls are built for them by slaves who exclude themselves. The monopolising manufacturers and traders get their *Protection Walls* made for them by *Ballot-brickmakers*, who thus build *treasure-cities for Pharaoh* ! The bulk of mankind are shut-out, rented, and “*protected*” (!) by *Walls* of their own making—all through ignorance, positive ignorance ; not mere natural ignorance, but the ignorance taught by the Magicians or ecclesiastics of all times, climes, and countries.

Professor Ogilvie, we have seen, tried hard to prevent Universities being utilised for the promulgation of positive ignorance and that form of superstition which fosters the doctrine of commercial landlordism as part and parcel of the "Christian" Faith. Alas! this Faith, so doctored, is still forced upon mankind. We are now accustomed to the *land merchant* in the same way as our ancestors were accustomed to the *slave merchant*. The present proposals to redeem the land and compensate the owners are on all-fours with the slave question proposals of the past. Some "owners" are now selling out, and some *slaves* are buying in. The latter should study the SINGLE TAX question in connection with the following nigger anecdote:—

A few years before the abolition of slavery in the United States, a certain negro made his way to one of the Free States, where he enjoyed his freedom for several years. Like any other human being, he, after a while, felt inclined to visit "the old folks at home," and he wrote to his owner offering to return if *massa* would promise not to flog him for running away. The owner agreed, and Sambo returned to slavery as before. But having some money, which he earned during his exile, and being desirous to have a little freedom, he purchased the half of himself from his owner, and thus had to work for only three days in the week; the other three being his own, he could either work for wages or play himself. This peculiar arrangement continued for a while until one fine morning, to the amazement of several advocates of *negro Freedom*, he resold his free half to his master, and lodged the price in bank along with more funds, he being quite able to buy his full freedom if he liked. "Ah! these niggers; what's the use of throwing pearls before

such swine?" But some keen Northener must call upon this slave and lecture him upon the real value of freedom; and this was done. After the lecture the still impenitent nigger grinned and giggled, to the utter disgust of his lecturing friend; and then, shrugging his shoulders, he quietly said: "Me know very well dat nigger property is d——d bad property, and dats *dee* resin me sell out!"

It is somewhat difficult to present a true picture of the period with which Professor Ogilvie had to deal. Among his ardent supporters for University reform we find the following, viz.: The Duke of Gordon, the Earl of Buchan, the Earl of Kintore, the Earl of Aboyne, the Earl of Aberdeen, Lord Adam Gordon, Lord Gardenstone, Sir Alexander Ramsay, Sir David Carnegie, Mr. Baillie of Dochfour, with the Earl of Findlater and Seafield, *Chancellor of King's College*, and the Earl of Bute, *Chancellor of Marischal College*, as pioneers. These men were all in favour of spreading the *Light of Nature* and propagating the *Powers of Reason*; a fact which makes the darkness of those days more visible to us. The clergy and the commercial landlords raised the double cry of—THE CHURCH and THE STATE in *danger*. There was no thought of the *People's rights*, but, nevertheless, like yelping curs—like the Birmingham mob that sought Priestley's life—the people took up the cry, and the powers of darkness, as a matter of course, prevailed.

Here is a wonderful picture of landlordism, is it not? To find all these noblemen pulling together in the same boat with the author of *The Right of Property in Land* at the helm, is a fact well worthy of a corner in history. But let us look at the storm raised purposely to wreck

this boat. The very heaven frowns, the pastors in every Parish in the North of Scotland, with one or two exceptions, turn up their eyes towards it, and they warn their flocks that something like the last judgment is approaching them. They point to the terrible shapes the clouds assume, with their awe-inspiring colours more variegated and more terrible than a legion of Devils dressed in the wildest of tartans. The *Fiery-Cross* is sent from Parish to Parish. The church of our fathers, and the source and life of that church—the Universities—are in danger of being swept off the face of the earth. And the *House of Argyll* and the *House of Fife*, raised by God to protect the true faith of Christ in Scotland, and to check the Evil Spirits of Knowledge and Reason from playing a second forbidden-fruit havoc with the human race, were also in great danger of being utterly destroyed. The storm prevailed; the boat was wrecked: no boat could weather such a hurricane. But it was the swinish multitude that were drowned!

Whatever the modern *Professor* (e.g., Huxley) may think, we may take it for granted that the Devil has always manifested a strong predilection for live *pork*! What happened was this: the People are still in the mire, and the *Seven Wise Masters* who raised that storm by which the Powers of darkness protected commercial landlordism in Scotland from the dangers which then encompassed it, were rewarded as follows: In 1807 these *Wise Masters* got a gift from Government of £1700 to pay *their* debts—called *college debts*! And in 1808 they were favoured with a provision of a yearly Government Grant of £700 *for the College*, but the whole of which they and their successors ate and drank, or spent in some other way, with £90 a year of

Bursary or other College funds besides, up to the year 1826 ; when Government made a *Visitation*, for the first time, in response to Professor Ogilvie's petition for it in 1786!*

But we must not dwell too long upon *spilt milk*. How the people have been *whiggled* by the whig commercial landlords is, however, a problem not to be lost sight of by modern reformers, who should learn to put no trust in the *fishy* arm of *party* names. The next swindle may be carried out in the name of *Radicalism* or may be *Socialism* ! Let us not forget the things done even in the name of Christ !

All the noblemen above mentioned openly gave their names in favour of Professor Ogilvie's scheme of educational reform. They also pulled with him as *real* land reformers ; and other landlords could be mentioned, who were equally keen for education and land reform. These truly noble men were, with Burns and a few other exceptions, the *only* radicals of those days. They were all men of culture, who had the benefit of able tutors, and possessed genuine *learning*, which scholars in those days completed and matured by travelling in foreign lands. They were all more or less practical philosophers, and hence the reason they and the clergy did not exactly agree on matters of reform. Here is a fair sample of the conduct of these men towards the cultivators of the soil. It applies to Professor Ogilvie's "most unwearied and generous *patron*," the Earl of Findlater and Seafield. Francis Douglas, in the year 1786, in his *Description of the East Coast of Scotland*, gives us the following facts,

* *Appendix*, xiii.

as related to him on the spot by a farmer in the vicinity of Banff:—

“If,” said the farmer to him, “you had known this country fifty years ago, as I did, you would think those fields and houses, which you pass unnoticed, a fine sight. I remember the time, sir, and so does my youngest bairn, when they were all uninclosed; large bauks (stripes of barren ground) between every two or three ridges; and when you might have travelled through them, from one stone head to another, without touching the yeird (earth); when the farm-houses were ready to tumble, and neither held out wind nor rain; and when we were well pleased if, over all the farm, we had four times the corn we sowed.”

“At that time your rents must have been very low?”

“No, sir, they were high; for we have now sense enough to know that lands in bad order are not worth the culture.”

“So I have often heard; but who among you had the merit of introducing better methods of farming?”

“Troth, sir, we did not think ourselves much obliged to him at first; it was our master; and we had some suspicion that lairds and lords chiefly minded their own interest. We had been long accustomed to our own methods, and thought our fathers had been as wise as we; it was not, therefore, an easy matter to persuade us that any others were better, or more proper for our soil. All these prejudices Lord Findlater got the better of; not by the strong hand, and telling us, by his overseers and factors, that such and such things we must do, but by going himself from farm to farm, advising rather than directing us how to proceed.

“‘Be diligent,’ he would say, ‘your time is your stock;

follow rational methods, and you will all get rich ; it is what I wish, and will help you to, if you do not hinder me by your obstinacy. Why should you labour hard for a bare subsistence, while the tenants in other parts of the kingdom get money ? Perhaps in some situations their lands may be better, or they may be nearer a good market ; only try what yours will do ; I wish not a rent which a man cannot pay and live. I would have you live well ; he that works has a right to eat.’ ”

“ Here the old man stopt short ; and I could observe the tear of gratitude swelling in his eye. He wished me a good journey, and turned off at a cross-road. So sensible are the country people of good usage, and so grateful when treated as rational beings.”

There is ample evidence that those truly noble men who rowed in the same University reform boat along with Professor Ogilvie were the self-same men who gave the first impulse to Agricultural industry in the North-East of Scotland. In the middle and end of last century there was a fierce struggle between Slavery and Freedom in the North of Scotland, and be it said to the everlasting credit of those nobles—not your “guinea’s stamp” *birkies* or *coofs*, as Burns truthfully describes some of the would-be *lords* of those days—they nobly, as becoming their rank and station, came to the rescue of the enslaved and degraded inhabitants. They were the real saviours of Scotland. Oppression and poverty had made the cultivators so indifferent to freedom that they accepted all sorts of compromises. They tamely submitted to many absurd relics of serfdom over and above the new slavery shackles of commercial landlordism, linked with those sacred contracts called Leases. They abandoned their birthright—their liberty and property

—by the stroke of a pen! “What!” our old friend *Tullochgorum* used to say, “has the boasted freedom of our land really come to this, that the man who cultivates it is to become a slave; nay, the only slave to be found in our country? For, transfer a negro to the happy soil of Britain, and the law pronounces him free.”

The peasants of the East of Scotland were then in a most “abject, mean, and vile” condition, and some landlords were busy evicting them, and inviting strangers to take their places. Let us here quote a few lines from a *suppressed* address to these evicting landlords which *Tullochgorum* puts into the mouth of a young man, who, like Burns’s father, was forced to bid a last farewell to his native parish:—

“No need for bringing sage instructors north
From Nature’s rich domains beyond the Forth
To teach thy farmers here, or spur them on
To what they find, or should, or can be done;

Let but thy own have time—they have the skill—
And family regard will spur the will!”

Reader, do you see what the object of the game was? The natives, who were the real owners of the soil, had *to be removed*, had to be *dispossessed*, and the land was then given to strangers. The new comers, so planted by the landlords’ *Law and Order*, were taken bound to submit to *Estate Regulations*, which were subversive of the letter and spirit of the Common Law of Scotland. In this position they, together with submissive natives, were actually brought under *Egyptian Rule*. They were oppressed and robbed in accordance with the whim or greed of the *master* who happened to own *their rights* for

the time, or of the *taskmasters* appointed by absentee or bankrupt *masters*. The "tenants" under such *masters* must not even complain. What right had they to complain? If they did, the parish minister was always ready with his text—"The Lord giveth, the Lord taketh away," "*Blessed be the name of the Duke of Argyll!*" The new comers could not claim any *Fixity of tenure* in the land, no matter how rigidly they kept the *Fifth Commandment!* They got the land *from the landlords*; they had nothing to do with any other LORD as *their* GOD in regard to the land! And the submissive natives neglected their *God-given rights in the land*. To make the picture of those "holy" times as true as possible, let me add that the Dissenting Clergy did not *dissent*—they all, as far as can be ascertained, shouted "*Amen!*"

We may safely take it for granted that bribes were given to the Dissenters of those times, although not so systematically as the open bribery of to-day in connection with the large and small *Dissenting Bodies* in Scotland.

Landlordism cannot stand in any country unless supported by positive ignorance, and positive ignorance is bred and fed by priestcraft of some *order* or another. It is not necessary that it should be a *State-established order*.

Francis Douglas did not visit the West of Scotland, but the following figures, taken from the "*Return of Allotments and Small Holdings in Great Britain*" for 1890, will give the reader a vivid *description* of the *dukes* and *dupes* of Argyll: (And meantime let us hide the President of the *Society for Propagating Christian Knowledge in Scotland* with a cloak or surplice of some kind having a sleeve large enough to cover his face.)—

Total of ALLOTMENTS, under 1 acre in Argyllshire,	294
Do., do., in Aberdeenshire, . .	453
Do., do., in Banffshire, . . .	217
Total of SMALL HOLDINGS from 1 acre to 50 acres	
in Argyllshire,	2979 (1301)
Do., do., in Aberdeenshire,	7439 (1797)
Do., do., in Banffshire, .	3087 (1006)

The figures "(1301), (1797), (1006)," represent the number of crofts from 1 to 5 acres. This *Return* clearly proves that there is nothing in this world more effective for desolating a country than *ducal* "Christian Knowledge!" 'Tis unsurpassable for sheep, deer, grouse, foxes, polecats, and other "wild animals" specially referred to in Buchanan's *De Jure Regni*, and not omitted in Locke's Civil Government.

The counties of Aberdeen and Banff—the district of Professor Ogilvie's landlord associates—form a distinct small-holding sanctuary on the map of Scotland to this day, and form a marked contrast to the desolation—the "*clearances*" of small holdings—the "*green spots*" in the midst of sheep and deer ranches in the Highlands of Scotland, the sight of which touched the heart of Lord Napier and Ettrick, and inspired his pen to write such noble and brilliant words of truth in his *Report* as President of the Scottish *Crofters' Commission of 1883, to Her Majesty*. It was the words of this *Report* that broke the flinty heart of Lord Salisbury, and made him speak as he did to the benighted dames of The Edinburgh Primrose League. How is it that the Duke of Argyll's heart is so hard to break? Ah! *You cannot break a bottle in an empty bag*; and the heart of a heartless being is equally unbreakable!

The Society for Propagating Christian Knowledge has not yet circulated one single copy of Lord Napier's *Report*. Let me, therefore, give one or two quotations from it.

At the very outset His Lordship says: "The history of the economical transformation which a great portion of the Highlands and Islands has, during the past century, undergone, does not repose on the loose and legendary tales that pass from mouth to mouth; it rests on the solid basis of contemporary records, and if these were wanting, it is written in indelible characters on the surface of the soil! Changes of this nature, going to the very foundation of social and domestic life, are not anywhere accomplished without some constraint, resistance, and distress, and if the instances produced for our information are not specifically and literally true, they are akin to truth. In making these reservations and distinctions in regard to the accuracy of the evidence submitted to our notice, it is right to add that even among the poorest and least educated class who came before us there were many examples of candour, kindness, and native intelligence, testifying to the unaltered worth of the Highland people." . . .

"The crofter of the present time has, through past evictions, been confined within narrow limits, sometimes on inferior and exhausted soil. He is subject to arbitrary augmentations of money-rent, he is without security of tenure. His habitation is usually of a character which would imply physical and moral degradation in the eyes of those who do not know how much decency, courtesy, virtue, and even mental refinement, survive amidst the sordid surroundings of a Highland hovel. The crofter belongs to that class of tenants who have

received the smallest share of proprietary favour or benefaction, and who are by virtue of power, position, or covenants, least protected against inconsiderate treatment." . . .

"The opinion so often expressed before us that the small tenantry of the Highlands have an inherited inalienable title to security of tenure in their possessions, while rent and service are duly rendered, is an impression indigenous to the country, though it has never been sanctioned by legal recognition, and has long been repudiated by the action of the proprietor. Neglected by earlier and succeeding writers, the views of the Highland tenants in respect to permanency of tenure are incidentally noticed by Captain Burt in his well-known *Letters from the North of Scotland*, written about the year 1730, while the clan system was still in full vigour. His words are memorable, for they stand almost alone."

Captain Burt gave some examples ; and the one quoted by Lord Napier "is of a minister who had a small farm assigned to him ; and upon his entrance to it, some of the clan, in the dead of night, fired five balls through his hut, which all lodged in his bed ; but he happening to be absent that night, escaped their barbarity, but was forced to quit the country. Of this he made to me an affecting complaint."

"This kind of cruelty," says Captain Burt, "I think, arises from their dread of innovations, and the notion they entertain that they have a kind of hereditary right to their farms, and that none of them are to be dispossessed, unless for some great transgression against their chief, in which case every individual would consent to their expulsion" (Burt's *Letters*, vol. ii. pp. 176-177).

Lord Napier also quotes from the Earl of Selkirk's

Observations (1805), p. 120, as follows: "They well know of how little avail was a piece of parchment and a lump of wax under the old system of the Highlands; they reproach their landlord with ingratitude, and remind him that but for their fathers he would now have no estate. The permanent possession which they had always retained of their paternal farms they consider only as their just right for the share they had borne in the general defence, and can see no difference between the title of the chief and their own."

Lord Napier then says: "The clan system no longer exists. The chief has in many cases disappeared, and his property [or rather the clan's property] has been transferred by sale to another name and another race. It is difficult to deny that a MacDonald, a MacLeod, a MacKenzie, a MacKay, or a Cameron, who gave a son to his landlord eighty years ago to fill up the ranks of a Highland regiment, did morally acquire a tenure in his holding more sacred than the stipulations of a written covenant."

The British Parliament passed the Scottish *Crofters' Act* in 1886, after a *No-Rent* policy was pretty generally adopted by the crofters, together with a pretty firm resolution to seize all the Highland shootings, and thus show English M.P.'s how to vote for a Land Rights' Bill. Bondholders and sportsmen got a scare, and the people learned a lesson how to "agitate"!

In digging for facts relating to Professor Ogilvie's life and work, we come upon dark and dreary pictures, revealing to us the thick cloud of ignorance which covered the land in those days. The dark scenes of the past are not given in their blackest hues in these *Notes*, nor are the darker ones selected. It is easier, as well as

more pleasant, to record the genuine green spots of the past, where sweet memories linger, than to dwell upon the general gloom of the days gone by.

The Reverend and remarkable John Wesley was a great favourite in Aberdeen. The *Seven Wise Masters* and their friends flocked to hear him preach, and he was allowed the use of the College Hall for a chapel. He was fond of his Virgil and Horace; and one would think that the many entries in his *Journal* referring to his frequent visits to Aberdeen, extending over a period of fifty-eight years, would have contained some slight reference to the classical Ogilvie. He, however, mentions only one Ogilvie, namely—"The Beauty of Holiness," and he holds him up as a genuinely godly man.

The *Beauty of Holiness* was "so called," Professor Stuart tells us, "in consequence of his physical ugliness and otherwise"! The "otherwise" referred to his notorious fire-escapades. He was an exceedingly clever hypocrite, and quite able to deceive men of stronger mental frame than John Wesley, who was a believer in witchcraft and apparitions—a belief, no doubt, which was also held by the majority of the *Seven Wise Masters*. Wesley's notion of Truth may be gathered from the following entry in his *Journal* referring to Professor Beattie of Marischal College, better known for his *Minstrel* than for his *Truth*:—

"Read Dr. Beattie's *Enquiry after Truth*. He is a writer quite equal to his subject, and far above the match of all the minute philosophers—David Hume in particular, the most insolent despiser of truth and virtue that ever appeared in the world, an avowed enemy to God and man and all that is sacred and valuable upon earth."

Dr. Beattie, it may be stated, does not appear to have taken any prominent part in the reform of University education for discovering and spreading the light of Truth in which his colleagues, along with Professor Ogilvie, were so eagerly engaged in 1786.

An apology for the puerility of Dr. Beattie's philosophy, from the pen of Sir James Mackintosh, is inserted here, mainly to show what in those days was considered a "respectable profession"!—what in those days was forced upon the sons of peasants by *The Seven Wise Masters*, and grabbed at by *the gentry*, by *the clergy*, and by the *larger farmers*, as a "respectable profession" for their own sons—namely, the "profession" of a slave-driver!!! The words in italics are intended to be read along with the College Ukase referring to Bursaries quoted at page 190 *supra*. In referring to Dr. Beattie, Sir James made the following note in his *Memoirs* :—

"It is not easy to overrate the merit of the principles which appear to have actuated him in his ethical lectures. *Entrusted with the care of many young men, whose humble fortune compelled them to pass their lives in the immediate superintendence of the Africans*, he inculcated on their minds the sacred rights of these unhappy beings, at a time when their condition was little thought of in Europe, and without the possibility of fame or even thanks."

What a picture of modern Christianity as taught, as enforced, by our Universities! Consider the King's College Ukase: the son of a peasant, weaver, or *carpenter* (!) presents himself at the College gate prepared to carry off the highest bursary, but the *Wise Masters*, who are all "professors" of Christianity (!), refuse to admit him unless he can produce a document from the Parish Minister, or from one of the *gentry*, certifying

that *he is* "above the lowest rank, and can appear in a decent way, both as to dress and behaviour, and *has* some reasonable prospect of money and friends to enable *him* to prosecute *his* education and bring *him* into some RESPECTABLE PROFESSION in life! ' *e.g.*, "*the immediate superintendence of the Africans*" !!!

Such were the times Ogilvie and Burns had to put up with in Christian Caledonia, with *her* new moons and *her* Sabbath days!

The *poor* Scot in those days had to cringe under tyranny, with an alternate choice of starvation at home or slave-driving abroad. We know that even Burns was only prevented from becoming a slave-driver by "the accidental delay of the vessel in which he had taken out his passage for Jamaica," and the almost equally accidental friendly intervention of The Rev. Dr. Blacklock. "I had," says the Poet in his letter to Dr. Moore, "composed the last song I should ever measure in Caledonia—'The gloomy night is gath'ring fast,' when a letter from Dr. Blacklock to a friend of mine* overthrew all my schemes, by opening up new prospects to my poetic ambition."

This was in the autumn of 1786. At this time, precisely, Professor Ogilvie was in the thick of his fight for Light and Truth in Aberdeen. The year 1786 marks a period of contemporaneous radical reforming eruption of the I AM spirit of these two men. It is perhaps not strange that their meetings, or correspondence, have been kept from the public eye to this hour, after all.

* The Rev. George Lawrie of St. Margaret's Hill, Kilmarnock. Is it not remarkable that Providence made use of two *divines* to prevent Robert Burns from leaving Scotland in those days? Scotland should not forget these two men. They should be entered as *St. Thomas* and *St. George* on the roll of Scottish Saints.

Has *British Christianity* in any way changed its creeds or tenets since those days of "*respectable professions?*" No! not one iota. And hence we have waste wildernesses under sheep abroad, and under deer, sheep, and game at home, while we breed human sinners *for* the slums of towns, and *in* the slums of towns, to a most alarming number. Why call it "Christianity?" Herodianity, Pharaohianity, or Neroianity would be much nearer the appropriate name.

Let us think for a moment about the idea of Jesus Christ *being in the flesh* in Britain at the present time, and holding His tongue about the doings of landlordism, with its evictions and rack rents! Or think of Him on a platform, supporting Mr. A. J. Balfour, or His Grace the Duke of Argyll! Think of Him sneering at the Mitchelstown murders, and the other numerous coercion atrocities in Ireland, for which Lord Salisbury has made Her Majesty directly responsible!—Her Majesty,* who is the Head, *as Vicar of Christ*, of the Christian Churches of England and Scotland!

"Ah! but we must not think of these things," methinks I hear certain *Reverend and Wise Masters* say—We must not commit the enormous sin of indulging in free-thinking or free-inquiry, because, if we do, we are lost! We must believe that Jesus delighted in slavery, cheap sugar, and cheap rum, in the past, and

* And yet, if Her Majesty or even "the Archbishop of Canterbury" were to decide "that there should be a change in the leadership of the Conservative party, Englishmen would reject with the utmost indignation any such intrusion of the sacred ecclesiastical element". These are Lord Salisbury's words, spoken at a Primrose League Meeting, on 22nd April, 1891. The Church is only to be used as a whip by political leaders, landlords and capitalists; then she is within her sacred sphere!

that He delights in rents and evictions now !—By the way, rum and sugar, especially the latter, are much cheaper now !—That He delighted in wars, plagues, and famines, in the past, and is delighted with ironclads and Armstrong guns now ; and that He is particularly fond of seeing soldiers dressed up as harlequins for parading before princes, dukes, and even a smaller fry, when not engaged at their *lawful calling*, butchering their fellow-creatures. We must swallow all these and many other things about Jesus, *along with landlordism* and other forms of robbery, in order to be within the fold of orthodox *British Christianity* !

The facts and figures referred to in these *Notes* are given without any selection or order, and chiefly as they happened to unfold themselves. There are many other things equally or perhaps more relevant not even touched upon. There is, however, one apparent omission which may as well be noticed here, namely, the object lesson to be learned from the landlordism of the *House of Fife*. It is right to mention that the Heads of that House, notwithstanding their unholy alliance with the Powers of darkness in 1786, already noticed, were not behind their noble neighbours as land improvers. And as far as honesty goes, among the great titled landlords, *The House of Fife* stands second to none. The Duke of Fife is, perhaps, the only Duke in the British Isles, or any other country, who can say : “My ancestors purchased all the lands I possess, with the exception of some commons, such as Cairngorm or Benmacdhui, acquired merely as their share of the spoil when the other landlords were having a general scramble for all the hills and glens in Scotland”. The Duke of Fife is thus, comparatively speaking, an honest commercial landlord,

his ancestors having acquired the land as land merchants. 'Tis different with all the old feudal Dukes, Earls, and Lords, because the only title deeds they can show to their lands constitute complete evidence that their ancestors stole these lands.

Nevertheless, the Duke of Fife does not feel free from risk. He is, therefore, selling his lands in Scotland as fast as he can. He knows that his title deeds are worse than useless. They prove that he is in possession of stolen property—the property of the People! They prove that all his lands are liable for the *National Debt*! They prove that the People, or, to put it technically in order to drive the fact into the thick skulls of ignorant lawyers, *that the Crown, the feudal Superior of all landlords, as Trustee for the People*, can legally and justly impose the SINGLE TAX,* *and tax all lands to their full value*. And it is no answer to the People's claim that a landlord or his ancestors purchased the land; otherwise the Duke of Argyll and a few other dukes and lords might at any time sell England, Wales, Scotland and Ireland to Mr. Winans, or to the Emperor of Russia.

The people of Argyll, especially those in isolated places like Tyree, where ducal tyranny is rampant, where the inhabitants dare not call their souls their own, and are not allowed even to have an Inn or Public House on the island, would perhaps bless the day Russian rule came to their rescue. But the power of the Duke is on the wane. The great Duke of the

* "But," says *Mr. Wiseacre*, "it is better to continue the landlords than have an army of hungry Government officials like excisemen all over the country." True, if the Government and the Crown are to be continued *as in the past*—simply acting the part of *Rahab the harlot*—used as instruments for betraying the Community.

'45 no longer exists. Only a few benighted people about Bute and Inverary believe now in the "divinity" of ducal christianity. Heaven be praised! the *Society for Propagating* that spurious imitation of *Christian Knowledge* is now about wound up.

We have seen the position held by the Duke of Argyll in 1748, when awarded £21,000 of "compensation" for giving up the sporting right of shooting and hanging his countrymen—a right, be it observed, which was generally exercised with wonderful discrimination and impartiality; even the Campbells were not *always* favoured! Of seventeen landlord kinsmen—all of the clan Campbell—who lodged "Compensation claims" in 1748, with one exception, they got nothing; their shares were all swallowed up by the lean kine of Inverary Castle!

The *House of Fife* in those days was nowhere. The claim lodged by "Lord Braco, William Duff," for the following "*sinecure offices*," and value, as compared with the claims of the Dukes of Gordon and Argyll (page 342, *supra*) gives an authentic glimpse of the situation:—

Lord of the Regality of Pluscardine,	.	.	.	£1000	0	0
Baillie of the Regality of Strathila,	.	.	.	400	0	0
				£1400	0	0

And the Court reduced it to £82 2s. 1d.

This William Duff was a grandson of a farmer on the Duke of Gordon's estates in Banffshire. He and his father and an uncle began to purchase land; they very soon became wealthy, and *titles of honour* followed land titles as a matter of course. In 1735 he was "elevated" to the Irish title of Baron Braco, and subsequently, in 1759, after he purchased more land and *other*

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things he was *created* (!) "Earl Fife," in the peerage of Ireland. In less than forty years after 1748, he surpassed the Duke of Argyll in wealth, and as a landlord, and also left him miles astern in regard to political power. He even eclipsed the Duke of Gordon, "*The Cock of the North*". In the year 1788, the Earl Fife had 110 votes in the three counties of Aberdeen, Banff, and Elgin, being eight votes more than the Duke of Gordon possessed; while the political power of the Duke of Argyll, in his own county of Argyll, was limited to nine votes! And His Grace could scarcely be said to have had the full command of these. We find the following *note* opposite his name in a document which discloses the *Political State of Scotland in the last century*:* "Most of the Freeholders are of the Duke's family and name. The greatest part of them have very near connections in Army or Navy. Many of them are desirous of promotion, and Duke *would be in a very troublesome situation* unless he was acting with the Administration."

How did the *House of Fife* rise so very rapidly from farmer to lord, from lord to earl, and from earl to duke—the nearest duke to the throne of the British Empire, we may say? Besides the possession of land, and the influence invariably associated therewith, there was some-

* From a private *Report* prepared in 1788, but not published until 1887. It contains many interesting entries, and shows that every vote had its price, and was worth a good deal in those days; e.g., A.B. is "not rich—requires some office or promotion"; C.D. has "a great family—will go with party who will do most for his family"; E.F. "sons and grandsons in Army, Navy, and Law, all to provide for, as estate is entailed," and so on. Those who are "rich" and "independent" are *noted* as such. We can see the foundation of existing corruptions in this document.

thing else — something which *procured* and *held* that influence, as if by magic, in place of the old relation, the interdependence of the sword which previously existed between chiefs and clans, between lords and vassals. What was that something? Perhaps *Oliver & Boyd's Edinburgh Almanac*, for 1874, will answer this question. The *House of Fife*, we find, attached to itself not less than twenty-three Church Patronages!

The people, it will be admitted, were taught to regard the Parish Minister as the servant of the Almighty, placed over them as governor and guide; and the Patron, as holder of the heavenly right of appointing this divine functionary, was of course regarded as a kind of tangible Almighty, to whom the utmost homage, reverence, and worship had to be paid. This "reverence" or "homage" was regarded as natural, nay, as divine; "implanted" by God in the human breast, as declared by Dr. Chalmers, Professor of *Auld Kirk* Theology in the Edinburgh University, and afterwards famous as "The Father of the Free Kirk!"

One thing is certain: The Earl Fife did not believe one iota of that doctrine. The so-called *natural* or *divine homage* towards landlordism, he knew to be a College manufactured article, and a saleable commodity: He paid hard cash for every one of these Patronages. He neither trusted nature nor any "divine" creed in the working of these Patronages towards procuring the necessary homage *due*, in the shape of rents, &c., to a commercial landlord. He knew that the *House of Argyll* was maintained by the dexterous manipulation of ecclesiastical influence; and he well knew that the Scottish *sheep* of 1715 and 1745 could easily be *managed* by the *Crooks* of carefully selected shepherds. He, there-

fore, purchased the right to select suitable *flockmasters* over all his lands.

He purchased from the *Seven Wise Masters* several Church Patronages which had belonged to the University from its foundation, including even the two Collegiate Churches of Old Aberdeen. He was, therefore, bound to join in the crusade against the proposed educational college reforms of 1786 for reasons too obvious to require any explanation. If his *shepherds* were to be taught any new notions about his *sheep* having any right to the land, or even to their own *wool*, that would be a most dangerous doctrine! He did not like the idea of Parliament or the Crown interfering with the *Christian Knowledge* promulgated in those days. The system was perfect, and must not be meddled with. This conservative doctrine was the political fraud in which and by which the *governing Whigs lived, moved, and had their being*.

Last year (1890) the Duke of Argyll issued a *Pastoral* to his countrymen under the "indelible" title—"Words of Warning". It was in favour of continuing the *Church of Scotland* as at present established. He admitted that he was the *Primate* Patron of Scotland in 1874. He then possessed the patronage of upwards of thirty Churches! Now, let us for one moment think of a Christian Community whose "*Christian Knowledge*" accorded with such a state of matters all the time downwards from the *Reformation* until a Jew, named *Benjamin Disraeli*, in the year 1874, re-discovered a fragment of democratic truth as it *was* in JESUS, who, by the way, had very little to do, when he was on this earth, either with dukes or lords.

The Duke of Argyll in that *Pastoral* did not say

anything about this fact: that he and other Scottish dukes, lords, and lairds annually plunder the *Church of Scotland* of its tithes to the extent of about £3,700,000! and that they only give a mere pittance to the so-called *State-Established* clergy of Scotland. In plain words and figures, the great landlords annually divide *all* the tithes among themselves, with the exception of £240,302 4s. 3d., which they throw to the clergy. Think of this: the salary drawn by one landlord for doing nothing is more than double the aggregate sum paid to all the State clergy in Scotland!!! And the clergy, like a pack of starved curs, pick up the *crumbs from under the table of Tyranny's mighty feasts!* Yes, the clergy, as dumb dogs, actually connive, and thus assist the robbers in their "plunder of the Church," and in their unmolested division of "that unhallowed booty"—"that sacrilegious spoil," to use the "indelible" phrases of the "indelible" Benjamin Disraeli, whose words, when he happened to speak the truth—which he sometimes did—should not be, and must not be, smothered, even with *primroses!*

The reader cannot fail to see the thing. Christianity, like all other forms of religion which preceded it in this world, once taken up by an aristocratic class, was bound to become an instrument of oppression, and a means whereby the bulk of mankind are kept in absolute ignorance of their natural rights, and thus rendered easy victims to the rapacity and avarice of their oppressors. The *Church of Christ*, established and non-established, is still utilised even in Scotland precisely like that infamous woman of Jericho. The people are betrayed and plundered on every hand of their Birth-right. It is not the work of *Fate!* We can see the visible agency of wicked men at work all around us.

We know what the Church did in the past, and we can catch her red-handed at the same *game* now if we like. But, as Christians, we wink at the monopolising of land—nay, we are the pioneers of that system in this world. Like the Jews who worship MOSES and propagate usury in every corner of the world, we worship JESUS and propagate not only usury but landlordism also. Let us study MOSES and JESUS on these things, and then count the knaves and fools in this world. Of all the *Christian* churches in the world, the *Church of England*, with its 8000 *Living*s for sale, is by far the most honest. She is the most honest of all, because the least deceptive. Of 11,000 Wesleyans, and over 9000 other Nonconformist clergymen in England, what have they done? Did they not aid in the robbery of the Common lands in George III.'s time? What are they doing now?

The following *Extracts* from the *Laws of Scotland* will astonish a few Scots, surprise more than one Englishman, especially among those learned Lords who *sit* upon Scotch appeals in the *House of Lords*, and will not fail to attract the bulk of the Irish race to Mr. A. J. Balfour's policy of adopting *Scots Law* in Ireland. The last *Coercion Act* was declared by him to have been borrowed from *Scots Law*. The following slices of the genuine article should tempt *Pat* to go in for *the whole hog or none*:—

“OPPRESSION is ordinarily but a quality of other crimes, but yet there are sometimes special dittayes founded thereupon, *per se*; and there are some particular Acts declaring several species of it to be punishable, as reif, or by other specifick punishments mentioned in the said Acts; and thus it is oppression to compel the King's proper Tennents to ride, or do service of Avarage, Car-

riage, Shearing, Leading, &c., and should be punished accordingly ; Act 21, Parl. 2, James IV. It is oppression to take Caups—that is to say, a duty for protection to be given by privat men to such as thieves, and other great men [!]; Acts 18 and 19, P. 2, J. IV., *vid. de verb. signif.* It is oppression for a Crafts-man to take custome, or any other taxation, from another of that same Craft, or for them to make privat Acts among themselves, prejudicial to the people ; Acts 42 and 43, P. 4, J. IV., Act 3, P. 7, J. V., and Act 4, P. 19, J. VI. It is oppression for Customers to exact more then their due ; Act 46, P. 4, J. IV. It is oppression to molest Magistrates of Burghs, and other Merchands to use their privileges and liberties ; Act 26, P. 4, J. V. It is a kind of oppression to exact more fraught from Passengers, or greater prices for Weavers and handy-work, then what is allowed and usual ; Acts 21 and 23, P. 5, Q. M. It is oppression to stop or make impediment of common high ways, to or from Burghs ; Act 54, P. 6, Q. M. It is oppression for Officers to extort the Leidges ; Act 33, P. 5, J. III., and Act 83, P. 11, J. VI. Common oppressors are punishable by death ; Act 88, P. 11, J. VI. Oppression is also punishable by death ; Act 42, P. 4, J. IV., Act 88, P. 11, J. VI.”

This and the following paragraphs are taken, word for word, from a boycotted book, written by Sir George MacKenzie of Rosehaugh, and published by *Royal Authority* in the year 1678, bearing the title : “ *The Laws and Customes of Scotland in matters Criminal*”. Sir George is referred to (*Appendix*, p. 418) as a believer in the *divine right of Kings*, but it is quite clear that he did not believe in the *divine right* of “Oppressors, thieves, and other great men !” These passages, be it observed,

are taken from his Chapter on ROBBERY, of which the following are the concluding paragraphs :—

“The Crimes answering in the Civil Law to oppression were *vis publica*, *vis privata*, and *concssio*. Those were punishable, *l. julia de vi publica*, who raised arms, or did violently eject men out of their houses or lands ; those who assisted the Oppressors with men are guilty thereof, and the punishment was *aquæ et ignis interdictio*. Those were guilty of *vis privata* who oppressed upon a privat account, and the punishment was the confiscation of the third part of their goods, with infamy.”

“*Concssion* was that Crime whereby money or anything else was extorted by open force, or who imployed their power and authority as the instrument of Oppression. I have seen processes and remissions relating to this crime with us, and the punishment of it is arbitrary, both by the Civil Law and ours.”

“The taking of *black-mail*, is a kind of *Concssion* in our Law, and by *black-mail* is understood the paying of money or any gratuity to thieves [*and other great men !*] for their protection, and by our Law not only the takers but the payers of *black-mail* are punishable as thieves and robbers, by the 21 Act, P. 1, J. VI., and dittay is ordained to be taken up against them, Act 102, P. 11, J. VI., and the reason why the givers are liable is because they maintain the thieves, and keep correspondence with them, and do not dilate them.”

Sir George is almost the only Scottish Lawyer ever known to have done anything for Liberty and Property, hence the reason he and his books have been systematically boycotted to this hour. He lived in the days of witchcraft. The Argyll *Religion* was the “*Order*” of those days, and it became “*Law*” as well as “*Order*”

under cover of the *English* Revolution of 1688. Some of the Scottish nobles then behaved very much like thieves and robbers, who always make a good harvest during any commotion or tumult of that kind. Sir George was then obliged to leave his own country and take refuge in England. Such is a sample of the Revolution fruit in Scotland. The people were then much agitated about religion. "The Church is in danger," shouted the Nobles, while at the same time they were busy *nobbling* the common property of the people. Sir George is guilty of saying that the people so hoodwinked were "fanaticks!" And the people in turn gave him the designation of: "The blood-thirsty Advocate, and persecutor of the Saints of God!" As Lord Advocate for Charles II. in Scotland, Sir George, no doubt, interfered a little with a few "Saints," but the unprejudiced reader cannot forget how the surviving "Saints" behaved themselves in regard to *Glencoe*, the moment they got a King's Advocate of their own *Religion*, when Sir George was no longer a terror to murderers, oppressors, thieves, and other great men! There is no ambiguity about who these "great men" were. "It is declared," says he in his chapter on ROBBERY, "*that landed men who are convict of common theft, receipt of theft, or stouth-reif* [robbery], *shall incur the crime and pain of treason* ; Act 51, P. 11, J. VI." The italics are his. Sir George—"the blood-thirsty Advocate"—saved many a poor wretched woman from being cruelly murdered *as a witch* by those self-styled "Saints of God!" He did expose the manner in which they usually extorted "confessions" from "witches". Regarding the administrators of the law he was not so lenient. "And I

condemn," he said, "next to the witches themselves, those cruel and too forward judges who burn persons by thousands as guilty of this crime." George Mackenzie was "a gentleman". When the judges of the Court of Session banished all the members of the Scottish Bar from Edinburgh, in obedience to a letter from Charles II., George Mackenzie appeared before them as "a gentleman," he said, and he made these obsequious functionaries and also their royal master sprawl under his feet. He, notwithstanding his weakness for the divine right of kings, on that occasion manfully vindicated the divine right of every man to defend himself, and to oppose tyranny, injustice, or impudence in a king as in a beggar.

No country in the world can boast of better laws than Scotland. It is, however, not necessary to reiterate how these laws were broken, and by whom ; or to make any comment regarding the punishment which might and ought to be inflicted on the breakers of these laws. It is perhaps as well to quote a few passages from another boycotted work, namely, *A History of Scotland*, published in 1805, "*for the use of Schools*," but not yet introduced into any School in Scotland. It is from an anonymous pen. In dealing with the "Political State of Scotland after the accession of James VI.," the writer proceeds as follows :—

"The feudal aristocracy, which had been subverted in most nations of Europe by the policy of their princes, or had been undermined by the progress of commerce, *still subsisted with full force in Scotland*. Many causes had contributed gradually to augment the power of the Scottish nobles ; *and even the reformation* [!], which, in every other country where it prevailed, added to the

authority of the monarch, had increased *their wealth and influence.*"

"Though Scotland, under the name, and with all the outward ensigns of a monarchy, was really subject to an aristocracy, the people were not altogether unhappy; and even in this wild form of a constitution, there were principles which tended to their security and advantage. The king, checked and overawed by the nobles, durst venture upon no act of arbitrary power. The nobles, jealous of the king, whose claims and pretensions were many, though his power was small, were afraid of irritating their dependants by unreasonable exactions, and tempered the rigour of aristocratical tyranny with a mildness and equality to which it is naturally a stranger. And while the military genius of the feudal government remained in vigour, the vassals both of the crown and of the barons were generally not only free from oppression, but were courted by their superiors, whose power and importance were founded on their attachment and love.

"But, by his accession to the throne of England, James acquired such an immense accession of wealth, of power, and of splendour, that the nobles, astonished and intimidated, thought it vain to struggle for privileges which they were now unable to defend. Nor was it from fear alone that they submitted to the yoke; James, partial to his countrymen, and willing that they should partake of his good fortune, loaded them with riches and honours; and the hope of his favour concurred with the dread of his power in taming their fierce and independent spirits. The will of the prince became the supreme law in Scotland; *and the nobles strove, with emulation, who should most implicitly obey commands*, which they had formerly

been accustomed to condemn. Satisfied with having subjected the nobles to the crown, the king left them *in full possession of their ancient jurisdiction over their own vassals.*

“The extensive rights, vested in a feudal chief, became, *in their hands, dreadful instruments of oppression, and the military ideas, on which these rights were founded, being gradually lost or disregarded,* nothing remained to correct or to mitigate the rigour with which they were exercised. The nobles, exhausting their fortunes by the expense of frequent attendance upon the English court, and by attempts to imitate the manners and luxury of their more wealthy neighbours, *multiplied exactions upon the people,* who durst scarce utter complaints which they knew would never reach the ears of their sovereign, nor move him to grant them any redress. And from the union of the crowns to the Revolution in 1688, Scotland was placed in a political situation, of all others the most singular and the most unhappy ; subjected at once to the absolute will of a monarch, and to the oppressive jurisdiction of an aristocracy, it suffered all the miseries peculiar to both these forms of government. Its kings were despotic ; its nobles were slaves and tyrants ; and the people groaned under the rigorous domination of both.”

On the advent of Charles I., the nobles, “provoked by some encroachments of the king on their order, and apprehensive of others, the remains of their ancient spirit began to appear. They complained and remonstrated. The people being, at the same time, violently disgusted at the innovations in religion, *the nobles secretly heightened this disgust ;* and their artifices, together with the ill conduct of the court, raised such a spirit that the

whole nation took arms against their sovereign, with an union and animosity of which there had formerly been no example. Charles brought against them the forces of England. But the disaffection which was growing among his English subjects prevented the king from acting with vigour."

"At the restoration, Charles II. regained full possession of the Royal prerogative in Scotland. During this reign, and that of James VII., the dictates of the monarch were received in Scotland with the most abject submission. The poverty to which many of the nobles were reduced rendered them meaner slaves and more intolerable tyrants than ever. The people, always neglected, were now odious, and loaded with every injury, on account of their attachment to religious and political principles, extremely repugnant to those adopted by their princes. The rights of the people were scarce ever mentioned, were disregarded, or unknown.

"The Revolution introduced other maxims into the Government of Scotland. Attention began, henceforward, to be paid to the welfare of the people. By the *Claim of Right* their liberties were secured. But the aristocratical spirit, which still predominated, together with many other accidents, retarded the improvement and happiness of the nation."

The "aristocratical spirit," and the belief therein, forced upon the people by courts, colleges, churches, and schools, reigned supreme in the British Isles, and in Scotland in particular, during the whole period of Professor Ogilvie's life. Let us look at the following picture from the indignant soul of Burns, recorded in a letter from him in 1794 to Mr. Thomson, complaining

of the delay in publishing his "Scots wha hae!": "Alas the day! and woe is me! That auspicious period, pregnant with the happiness of millions—that golden age, spotless with monarchical innocence and despotic purity—that Millenium, of which the earliest dawn will enlighten even Republican turbulence, and show the swinish multitude that they are but beasts, and, like beasts, must be led by the nose, and goaded in the back-side—those days of sweet chords, concords seem by no means."

There is more than one reason for giving a place in these *Notes* to the following letter, written to GENERAL WASHINGTON by the Earl of Buchan, the mutual friend of Burns and Ogilvie:—

" DRYBURGH ABBEY,
" 28th June, 1791.

" SIR,—I had the honor to receive your Excellency's letter relating to the advertisement of Dr. Anderson's periodical publication in the 'Gazette of the United States'—which attention to my recommendation I feel very sensibly, and return you my grateful acknowledgments. In the twenty-first number of that literary miscellany I inserted a monitory paper respecting America, which I flatter myself may, if attended to on the other side of the Atlantic, be productive of good consequences. To use your own emphatic words, may that Almighty Being, who rules over the universe, who presides in the councils of nations, and whose providential aid can supply every human defect, consecrate to the liberties and happiness of the American people a Government instituted by themselves for public and private security, upon the basis of law and equal administration of justice, preserving to

every individual as much civil and political freedom as is consistent with the safety of the nation ; and may He be pleased to continue your life and strength as long as you can be in any way useful to your country. I have entrusted this sheet, inclosed in a box made of the oak that sheltered our great Sir William Wallace after the battle of Falkirk, to Mr. Robertson of Aberdeen, a painter, with the hope of his having the honor of delivering it into your hands, recommending him as an able artist, seeking for fortune and fame in the New World. This box was presented to me by the Goldsmiths' Company at Edinburgh, to whom, feeling my own unworthiness to receive this magnificently significant present, I requested and obtained leave to make it over to the man in the world to whom I thought it most justly due. . . .

"I am, with the highest esteem, Sir,

"Your Excellency's most obedient and
obliged humble servant,

"BUCHAN."

"P.S.—I beg your excellency will have the goodness to send me your portrait that I may place it among those I most honor, and I would wish it from the pencil of Mr. Robertson. I beg leave to recommend him to your countenance *as he has been mentioned to me favourably by my worthy friend Professor Ogilvie of King's College, Aberdeen.*"

It would seem from the words now italicised that Ogilvie and Washington were not unknown to each other ; and it is highly probable that the latter was pre-

sented with an early copy of *The Right of Property in Land*, and with some MS. notes besides. The reader will remember that he refers to *North America* (p. 107) as having "lately enjoyed an opportunity of new modelling the establishment of landed property, even to theoretical perfection".

If Professor Ogilvie visited Dryburgh Abbey in June, 1791, he would then be within a day's ride of the abode of Burns. Trying to catch the *Twa Dogs* together, oddly enough we again come upon a suppression of dates and names.

"*In the summer of 1791,*" says Dr. Currie, "two English gentlemen, who had before met with Burns in Edinburgh, paid a visit to him in Ellisland. He received them with great cordiality, and asked them to share his humble dinner—an invitation which they accepted." They did not leave before midnight—they "forgot the flight of time and the dictates of prudence". No wonder; for Burns, as described *by one of the party* to Dr. Currie, "was in his happiest mood, and the charms of his conversation were altogether fascinating. He ranged over a great variety of topics, illuminating whatever he touched. He related the tales of his infancy and of his youth; he recited some of the gayest and some of the tenderest of his poems: in the wildest of his strains of mirth he threw in some touches of melancholy, and spread around him the electric emotions of his powerful mind."

Who were these two "*English gentlemen,*" and in particular what name shall we call the one who gave the information to Dr. Currie; and why should Dr. Currie suppress the name of any real Englishman? One thing is clear—*Twa* sympathetic souls—whether they were *the*

"Twa Dogs" or not—did meet and spend a happy night together.

Considering the state of poor Scotland then, and the watching by "epauletted puppies" and other spies of all the movements and meetings of persons suspected of being possessed of any genuine I AM spirit, Professor Ogilvie, no doubt, found it necessary as a rule to travel *incog. in his own country*—most likely as an *Englishman*, keeping his thumb upon the meaning of his own phrase—"the Northern Counties of England". He wrote his *Essay* as an *Englishman*, and inscribed it to *Englishmen*!

We can hardly realise now-a-days the dangers and difficulties that a reformer like Professor Ogilvie had to contend with in his time—a time when the Soul of Freedom had, in truth, fled from Scotland. There is no doubt whatever of this, that if his notions of land-law reform had been fully known to the landed *gentry* and clergy, his life would have been taken either by a paid assassin, or by a stirred-up mob. He was an "ingenious recluse," and thus escaped more successfully than his renowned contemporary Dr. Priestley,* whose house was burnt by a Birmingham mob, his books and MSS. torn and strewed for miles along the public road, while he himself had to run for his life. This was the work of a befooled English mob, led by—we know—and marching to the old familiar tune of "The Church

* The Rev. Robert Hall of Cambridge, who defended Dr. Priestley and vindicated the French Revolution as well as British Liberty, was an ardent disciple of Professor Ogilvie. He attended his lectures during four sessions (1781-85), and was charmed with his translations of the Roman poets, which, in a letter to a friend, he described as "extremely elegant". It is well known that Robert Hall and Sir James Mackintosh were fellow-students, but few are aware that they studied under such a teacher as the author of *Birthright in Land*.

in danger". But in Scotland similar outrages were perpetrated in those days by *Law and Order*!

A military rabble, led by "epauletted puppies," to use the designation handed down to us by Burns, sacked the house of the Rev. John Skinner of *Tullochgorum* fame, carrying with them his books, MSS., and "everything; leaving hardly a change of linen for father, mother, or child"; and they searched "even the bed-chamber where Mrs. Skinner was lying-in of her fifth child, and little able," says her son, Bishop Skinner, "to bear such a rude, unseasonable visit". They spared his Manse, but they burnt his Church to the ground. More than once *Tullochgorum* saved his life by "skulking" in some hiding place, or "attiring himself in the garb of a miller, to escape the observation" of the military miscreants of those times. And let us mention that the then *Chief Secretary* conferred upon him the honour of spending six months on a *plank bed*.

We can imagine the pangs felt by the highly sympathetic soul of William Ogilvie for the "woes and pains" of others, in those days. As regards his own personal sufferings, his *weep-not-for-me* spirit almost arrests us from referring to them in these pages. In his soliloquy of 1776 we see a man who could bravely and contentedly face death itself, "without reluctance and repining". "Having," says he, "abundant reason to return thanks for that measure of good which I have already enjoyed, which seems to have exceeded, at least in tranquillity and contentment, the common standard of what is allowed to man".

We, however, cannot skip over another "rude" and equally "unseasonable visit," as a companion picture of the period. When the so-called *Royal Army* was

passing through Morayshire in 1746, a short halt was made at Pittensear House, and three cannon shots were fired at it. One of these shots struck the front wall close to the dining-room window, and, we need not say, caused the inmates much alarm. William Ogilvie, then about ten years of age, in all probability witnessed that scene—a sad example of what even a *Whig* Government may do at the head of a mercenary army. He, without any doubt, surveyed the wreck after the storm had passed. We have it on the authority of old people still living near Pittensear, that his mother, who happened to be in childbed at the time, never recovered the shock of that day's proceedings, and that shortly thereafter she was laid in a premature grave. And a few years later, when his disconsolate and broken-hearted father had quitted life's stage, he was left alone, in place of both father and mother, as guardian to four orphan girls. Here we may trace the way in which, what we may call a *motherly feeling* towards all the children of men, was developed in his breast. His *Essay on the Right of Property in Land*, in every line of it, says: *Suffer little children to come unto me*, and I shall teach them that *God is no respecter of persons*; that all *the children of men* are entitled indiscriminately to an equal share in the soil, in all wild animals, game, fish, and the whole products of nature, necessary for man's subsistence or enjoyment; and that anything contrary to this doctrine is a gross and blasphemous slander on the Creator, as well as a most iniquitous fraud on the bulk of mankind.

*Vive, vale. Si quid novisti rectius istis,
Candidus imperti; si non, his utere mecum.*

APPENDIX.

I.—*Letter from the Chancellor of King's College (Lord Deskfoord) to Principal Chalmers.*

"CULLEN HOUSE, 27th Oct., 1761.

"SIR,—I have just now the favour of yours of October 24th, intimating to me that the Sub-principal's state of health makes it necessary for him to employ an assistant in teaching his class, and that he as well as you, and his other friends in the College, have agreed to refer the choice to me, and that Mr. Burnet agrees that his assistant shall have the profits of his class, and what other encouragement shall be thought reasonable.

"I am extremely sensible of this mark of your confidence in me, but at the same time I doubt extremely if any proper person would be willing to undertake that charge, except he was assured of succeeding Mr. Burnet as Regent.

"William Ogilvie of Pittensear, having merited the approbation of all the members of the College, would naturally have occurred to my thoughts, if I had not known that he was so engaged that he cannot possibly leave his pupil this winter, and, besides, he is so agreeable to the people he is with, that it would be very injudicious in him to leave his present charge, even next year, upon any other terms than being actually chosen

Professor. I think, therefore, till that point is settled by a majority of the University, that it would be in vain for me to take any steps in the matter you propose. I must therefore beg the favour of you to have a meeting with Mr. Reid, the Rector, and other members of the University, and fix the thing in such a footing as may enable me to make the proposal to William Ogilvie or some other person of merit, capable of exercising the office properly.

"I am with very sincere respect, Sir,

"Your most obedient and humble Servant,

"DESKFOORD."

II.—*Letter from William Ogilvie to James Anderson of
Matthewmiln, near Elgin.**

"EDINBURGH, November 19, 1761.

"DEAR SIR,—About 10 days ago I received a piece of good news, which considering the part you take in all my concerns, I ought to have communicated to you before this time ; but the hurry of settling myself and my pupil in Edinburgh has not allowed me. The University of Old Aberdeen have chosen me assistant and successor to one of their number, who is superannuated, and unfit to teach a class. My encouragement during his life is only the emoluments of the class, but then, it secures to me, if I live, an income of about £100 a year, and in the meantime I shall enjoy £35 of Divinity

* Mr. Anderson, the husband of Ogilvie's paternal aunt, acted as his guardian, in virtue of his father's Will.

Bursaries for four years. It gives me a determinate view for life, and leaves me more at liberty, and gives me more opportunities of serving others, than being a minister I could have. It is a much better thing than that Regency in the Newtown College, which you were so fond of my getting about a year and a half ago. I must not forget to tell you that I owe it entirely to Lord Deskford, who is certainly, of all patrons, the most unwearied and generous. I know, my dear aunt will rejoice in my good luck, and I desire to be affectionately remembered to her. I hope what has happened will not oblige me to leave Edinburgh this winter, and I am at all times,

"Your affectionate and much obliged humble Servt.,

"WILLIAM OGILVIE."

III.—*Letter from the Chancellor to the Principal.*

"CASTLE OF BANFF, 21st Nov., 1761.

"SIR,—In return to my letter to Mr. Ogilvie, I understand from him that he with thankfulness accepts the proposal made to him to be assistant to Mr. Burnet, with the assurance the members of the University think proper to give him of his being to succeed to the first vacant Regency. But he informs me at the same time that his engagements to Mr. Graeme are such as make it impossible for him to come north this winter; and, further, that he apprehends that his attending the most eminent professors at Edinburgh for this session may qualify him better than he is at present for teaching afterwards in the College of Aberdeen. He therefore desires

that I would interpose with Mr. Burnet and with the other members of the University that Mr. Temple, tutor to Mr. Pattoun of Grandhome, may be permitted to act in his place as assistant to Mr. Burnet for the session, if Mr. Temple appears to Mr. Burnet a proper person. I would be extremely obliged to the members of the University for this indulgence to Mr. Ogilvie.

"Mr. Ogilvie very properly leaves the security for his succession to the Regency to the University and to me. And I should apprehend that, as he has accepted of being assistant to Mr. Burnet upon a minute of the University promising this, no other form will be useful but a letter to him signed by you and the other members of the University, narrating the fact that he had quitted his present employment upon an assurance from the College that he should be chosen into the first vacant Professorship, and promising that each of you will vote for him when such vacancy happens.

"I enclose a letter to you from Mr. Ogilvie, which I conceive he means to be a public letter to the University, and I consider the letter I now write in the same light. I beg therefore that you would be pleased to communicate it to a meeting of the University, and assure Mr. Burnet and the other gentlemen of the sense I have of their attention to me upon this occasion. If I had not been sure that Mr. Ogilvie's qualifications were well known to you all I would not have thought of suggesting him as a proper person to be a member of the University.

"I am, with very sincere esteem and regard, Sir,

"Your most obedient, and most humble Servant,

"DESKFOORD."

IV.—*Mr. Ogilvie's Letter to the Principal.*

"SIR,—Lord Deskfoord has been so good as to acquaint me with a resolution of a meeting of the University, which does me much honour, and lays me under the greatest obligations. I accept with thankfulness of the offer which is made, and shall endeavour to show myself in every respect not undeserving of it. As to any security I am to have of succeeding to any vacancy that may happen, I leave that entirely to Lord Deskfoord and the members of the University, in whose friendship and goodwill I place all confidence.

"I beg you will make offer of my most respectful compliments to Mr. Burnet, and I am with great regard, and a grateful sense of your favours, Sir,

"Your most obedient and most humble Servant,

"WILLIAM OGILVIE."

V.—*In accordance with the wishes of Lord Deskfoord, the following Letter was sent to Mr. Ogilvie, confirming his appointment :—*

"KING'S COLLEGE, 25th November, 1761.

"SIR,—The Masters of the College have this day before them a letter from Lord Deskfoord, and another from you signifying your willingness to accept of becoming Mr. Burnet's assistant for teaching his class.

"We are sorry that your engagements with Mr. Graeme will not permit your being with us this

winter. Since that is the case, Mr. Burnet will employ Mr. Temple in your place in case he shall find it necessary.

“As you have quitted your present employment upon the assurance which the members gave Lord Deskfoord that you should be chosen into the first vacant office that might happen of a Regent’s place, we judge it proper to renew the same assurance to yourself, promising that each of us will vote for you to succeed to the first vacancy that shall happen of a Regent’s place, and we are,

“ Sir,

“ JO. CHALMERS [Principal].

“ JO. LUMSDEN [Prof. of Divinity].

“ JO. GREGORY [Mediciner].

“ AL. BURNET [Sub-Principal].

“ THO. GORDON [Humanist].

“ RODK. MACLEOD [Regent].

“ THO. REID [Regent].

“ JOHN LESLIE [Regent].” *

VI.—*Letter from the Chancellor to Professor Ogilvie.*

“ LEVEN LODGE, NEAR EDINBURGH, 16th October, 1764.

“ DEAR SIR,—Lord Deskfoord † being indisposed at

* These were all the Masters of the College at the time, with the exception of David Dalrymple, Civilist, and George Gordon, Professor of Oriental Languages.

† The Chancellor having succeeded to the Earldoms of Findlater and Seafield, his eldest son is now called Lord Deskfoord.

Forglen lost us a day, which deprived me of the pleasure of seeing you and the other gentlemen of the University of Aberdeen.

"I have this day received Dr. Reid's * resignation of 13th October, which I have enclosed in a letter to the Principal; but being hurried with company, and not having time to write particularly to Mr. Middleton, the Rector, whom it was my duty to attend to, I have enclosed the Principal's letter to him. As soon as this comes to your hand, I would have you wait on Mr. Middleton, who will probably employ you to convey the Principal's letter to him. I think you should likewise call for the other gentlemen of the University without delay, and put them in mind of their engagements to you contained in the letter to me which I transmitted to you. You may acquaint Mr. Macleod that his chief was here to-day in perfect good health. Remember me kindly to Whitehaugh. Offer my best compliments to all the gentlemen in the University, and be assured that,

"I am most sincerely, dear Sir,

"Your most obedient humble Servant,

"FINDLATER AND SEAFIELD."

VII.—*Letter from the Chancellor to the Principal.*

"CULLEN HOUSE, 16th September, 1765.

"SIR,—Some time ago in a correspondence w^t you

* Dr. Reid then went to Glasgow to succeed Dr. Adam Smith as Professor of Moral Philosophy.

I suggested that I thought the Humanist's Profession might be made of more use & ornament to the Society; if, besides the merely teaching the Elements of the Language, he threw in a set of Lectures upon Antiquities & History, both Political & Natural, & likewise upon Criticism & Rhetorick. Seeing the great resort there is to Dr. Blair's Class at Edin^r confirms me in this opinion; & as the Humanist gives Lectures to two different sets of People at the College, I should think these things might easily be included in the course of the four years. I mentioned this to Mr. Ogilvie when he was here, & I find in consequence of my doing so that he & the Humanist have had some conversation about an exchange. But before mentioning it publicly they want to know my opinion about it.

"I am apt to think that it will be easier for Mr. Ogilvie to enter upon a new manner of teaching the Humanity Class than it would be for Mr. Gordon* to leave the tract he has been used to, & that these additional Branches being taught in your College would put it more on a level w^t some other Universities than it is at present. If you are of the same opinion, I should be glad that you would propose the Exchange to the other members of the College & promote it. I enclose this Letter open for Mr. Ogilvie to deliver, & have likewise written a short Letter to Mr. Middleton† on the same subject. I beg that Mr. Burnet, Mr. M'Leod, & all our friends in your College may

* Thomas Gordon, Assistant to Mr. Alex. Fraser, Sub-Principal 1734, Humanist 1739, Regent 1765, Professor of Greek 1796, died 1798.

† George Middleton of Seaton, then Rector of King's College.

be assured of my best wishes, & am, w^t very much regard, *

" Sir,

" Your most obedient & most humble Servant,

" FINDLATER AND SEAFIELD."

VIII.—*Letter from Professor Ogilvie to Principal Jack.*†

" ABERDEEN, 26th February, 1817.

" DEAR SIR,—Finding my health declining very fast, I have for some time employed Mr. Patrick Forbes as an Assistant, and in the hopes that the meeting will be so good as to elect him Conjunct Professor with myself I hereby demit my Office of Professor of Humanity into the hands of the Principal & Masters with all Emoluments from this date, & on account of the present state of my health, I wish the meeting to proceed without delay.

" I remain, dear Sir,

" Your most obedient Servant,

" WILLIAM OGILVIE."

* On the 23rd September, the Masters approved of the suggested exchange, and, Messrs. Gordon and Ogilvie having demitted their offices (the former "with reservation of regress on death or demission of Mr. Ogilvie), they elected Mr. Gordon a Regent, and (having, in accordance with the terms of the Foundation, conjoined with themselves four Procuratores Nationum)‡ they appointed Mr. Ogilvie Humanist.

† William Jack, Regent, 1794, Sub-Principal and Professor of Mathematics, 1800, Professor of Moral Philosophy, 1811, Principal, 1815, died 1855.

It is interesting to note the length of period of office of the different Masters mentioned above: Alexander Burnet, 54 years; William Ogilvie, 58 years; John Chalmers, 60 years; William Jack, 61 years; Thomas Gordon, 64 years; Roderick Macleod, 67 years.

‡ Dr. Alex. Gerard, Prof. of Divinity in Marischal College, for Lothian; Patrick Wilson, Esq., for Murray; Lieut. Robert Hay for Mar; Hugh Maclean, Esq. of Coll, for Angus.

IX.—*Letter from Professor Ogilvie to Principal Jack.*

“30th June, 1817.

“DEAR SIR,—In order to give immediate effect to that article of the general agreement which refers to Mr. Forbes and me, we have agreed to propose that he be elected, without delay, Assistant and Successor to me as Professor of Humanity. Will you then be so good as to call a College Meeting as soon as may be, and lay this our request before them? *

“I am, &c.,

“WILLIAM OGILVIE.”

X.—*Words spoken by THE MARQUESS OF SALISBURY at a Primrose League “Demonstration” in Edinburgh, on 30th November, 1888; with, inter alia, a Requiem by THE DUKE OF ARGYLL, on his own behalf:—*

“I wish to say one word upon the question of arrears, and I wish to say it because it has received a Scottish application. The only argument which I know that at all has any plausibility for remitting the arrears which are complained of in Ireland is that in a bill which was passed to relieve the Scottish crofters the question of arrears was dealt with. *Now I can conceive no mistake greater than to confuse the question of Irish land with the question of the Scottish crofters.* The Scottish Crofters Bill was no measure for which I am responsible—and I do not profess to admire it in all respects, but it had this particular

* On 18th July the Masters, with Procurators as usual, elected the Rev. Patrick Forbes, Minister of the second charge of Old Machar, Assistant and Successor to Prof. Ogilvie, with a special appointment to teach a class of Chemistry and Natural History.

note, it **was not a disturbance of old long-established rights.** The ground on which you interfered with the position of the Scottish crofters was that you said that **up to a comparatively recent period they had held upon a tenure not the general tenure of these islands, and that that tenure had by lapse, by carelessness, by use, by encroachment, been converted into a condition of things wholly and unjustly disadvantageous to themselves.** It was said that **the old clannish tenure,** which was very different from the ordinary law of landlord and tenant in this country, that **that had slipped into the law of landlord and tenant, entirely to the advantage of the landlord, without any consideration for the valuable interest which the clansman formerly had in the land on which he lived.** Well, that is a very fair argument, and the Act of Parliament [*The Crofters' Act, 1886*] which flowed from it was that the rule of prescription observed generally in this country should be considerably extended—extended from sixty to eighty years—and that all who these eighty years had been in the condition of crofters should have their case specially considered. **Well, that was a decision perfectly consistent with ordinary doctrines of the rights of property—**whether you thought it wise or thought it foolish, **there was nothing in it which affected the rights of property in general.** The case of the **Irish tenant** was very different. **Parliament in its wisdom set aside the rights of landlords, which had existed for many many hundred years, had existed by full confession and approval of the law, in many cases by the direct provision of Acts of Parliament.** Now, of course I do not wish to discuss the policy of that measure. I was myself opposed to it, but I do not wish to enter upon discussion of the point—that is not my present point. What I wish is to show how different it was from the case of Scotland. What you did **in the case of Ireland** was that **you took away from the landlord that which the landlord had always**

had a right to in Ireland for centuries, that which he had a right to in every other country in the world—that is to say, of occupying as he pleases, and subject to all contracts and subject to compensation for improvements, occupying if he pleases the land which he owns. **You have taken that away from the Irish landlord. It is a tremendous measure**, and it has nothing whatever in common with the **very moderate and limited measure** which in their peculiar circumstances you have **passed for the crofters of Scotland**. Therefore I say the fact that in dealing with the crofters of Scotland, you have also dealt with the **arrears which have arisen under a system which you determined to be faulty** has nothing whatever to do with the larger and more revolutionary measure which you applied to Ireland."

NOTE.—The conversion of Lord Salisbury, and the confession of it are strange facts. Well, facts require no philosophy, no theology, to support them. It is not necessary "to gild refined gold," and Lord Salisbury had the wisdom to present some grains of sense and truth to the women of Edinburgh, instead of the *blarney* with which he tickled the ears of the other sex in the Corn Exchange, and in the Conservative Club, during the earlier part of the same day. Let us thank the Edinburgh Primrose Dames for his confession, if not for his conversion also. The incident is worth noting as an example of woman's good influence over stiff-necked politicians. 'Stronger than the King, stronger than wine, are women—the *Law of Nature* conquers all things!' is still a true saying.

The Edinburgh women did well, but the women of Skye who bravely fought the *Battle of the Braes*, in 1883, must not be lost sight of. To them we owe the *agitation* which produced the *Crofters' Act*—the wedge by which the rights of the people may be re-established in every corner of the British Empire. It only needs hammering in. It is the first *Government* recognition of *Birthright in Land*, as far as England and the

"*Northern Counties of England*" are concerned. The *Crofters' Act* is based upon Natural Rights, what Lord Salisbury calls "*Clannish tenure*," which being interpreted, means *the rights of children in the land of their birth, in Father-land*. And these rights, be it observed, his Lordship denies to the children of every Lowland or English mother, as well as Irish mothers. The Skye women defended the *old long-established rights* of their children, because their maternal instincts impelled them to do so. On the other hand, the Roman mothers were at one time so corrupted by despotism, that they abandoned their children to slaves; and they wished to teach them to forget that their fathers had been free. Here we learn how the character and fate of a Nation, or an Empire, depend almost entirely on the mothers of the people. British mothers have stood a most severe test for ages. They had to contend with poverty and oppression, on the one hand, and to withstand debasing and debauching temptations on the other; the landlord system of despotism being mainly responsible for these encompassing evils.

Lord Salisbury's *Confession* should be read along with Lord Beaconsfield's *Confession* of 1844, with special reference to the *Clannish tenure* of the people of England. It also "slipped into the law of landlord and tenant," with the same result as in the Highlands, "*entirely to the advantage of the landlord*". In short, freebooting, although managed in England by the aid of such things as Acts of Parliaments—where all the members were landlords!—only shows the bare-faced audacity of the English Freebooter as compared with his Scottish brother in trade. Even the Duke of Argyll and Mr. Balfour may hold up their heads *in England*; and they do so! During the reign of George III, a person whose name should not be omitted in any work on the Land Question, the English *Freebooters* passed 3446 *Acts of Parliament*—Acts of theft, they should be called—by which they *enclosed* (!) 5469 square miles of common lands. This immense area was "*slipped into the law of landlord and*

tenant," was made private property, in the most scandalously dishonest manner possible.

These landlords, sitting in Parliament, under the pretext of looking after *the interests of the people*, robbed the people to that extent openly, and by means of *Law and Order* ! Where were the clergy of the Church of England then ? And what were the clergy of the Non-conformists doing ? It was too bad to allow such a mean advantage to be taken of poor George III., whose name is still left connected with such public robbery, was it not ? Can we trust the genuine loyalty of such Freebooters, or of such consenting clergy ?

We must hang one or two other things on the hooks which Lord Salisbury's *Confession* has furnished. Let us glance at His Grace the Duke of Argyll as he perused the *Scotsman's* report of that *Confession*, and then began to sing his own death song, pouring forth a gushing torrent of envy at the "perfect slumber" of the *remains* of a small bird :—

"A RING-PLOVER FOUND DEAD IN TYREE.

In a hollow of the dunes
Its wings were closed in rest,
And the florets of the eyebright
Stood guard around its breast.

* * * * *

No more its tuneful whistle
Would mingle with the surf ;
Its busy feet were idle,
Once nimble on the turf.

No ruffle marred its plumage,
No struggle stretched its head ; [!]
It lay in perfect slumber,
The happiest of the dead.

So could I wish that death
Would make his lair for me
Among the list'ning pastures
And margins of the sea."

"ARGYLL."

His Grace is practically weaker as a philosopher than as a poet. Would it not have been wiser to try to live an innocent and love-inspiring life like this ring-plover, and with "tuneful whistle" cheer up the Crofters of Tyree, whose own *whistle* is kept so dry by His Grace's Estate Regulations, rather than pray to "death" for the repeal of one of Nature's fixed Laws, the benefit of which might be much easier earned by His Grace than by any little piping bird of Tyree? The Duke can pipe by proxy, and he can even pipe after he is "found dead" by *founding* a *piper* in Tyree! Alas! the ring-plover can not bequeath any of its *notes*!

The "dunes," by the way, suggest a little borrowed inspiration from Victor Hugo, a true lover of his race, whose spirit slumbers not, but lives in the hearts of mankind. When His Grace raves so much about the *slumbering spirit of a dead ring-plover*, what would he not give for the "lair" of a Hugo or a Burns?

His Grace is painfully conscious that the Tyree Crofters, who revolted against his oppression and rack-renting, will *not stand* "guard around *his* breast". They have learned to say:—

Yes, we shall weep o'er each lamented grave
Of those who joined us in stern Freedom's cause ;
And, as the moistened turf our tears shall lave
These tears shall freedom honour with applause.*

MUIR.

* From Thomas Muir's *Farewell*, written on 12th March 1794, on board the "*Surprise*" Transport, at Portsmouth.

The fact that Muir courted the Muses was doubtless known to Burns, who was affectionately fond of his brother poets; hence the news of the Braxfield sentence, mentioned *supra*, in connection with the suppressed date of composing *Scots wha hae*, must have touched the innermost chord in his heart.

How sleep the brave, who sink to rest,
By all their country's wishes blest !
When spring, with dewy fingers cold,
Returns to deck their hallow'd mould,
She there shall dress a sweeter sod
Than fancy's feet have ever trod.

By fairy hands their knell is wrung,
By forms unseen their dirge is sung ;
There Honour comes, a pilgrim gray,
To bless the turf that wraps their clay ;
And Freedom shall awhile repair,
To dwell a weeping hermit there !

COLLINS.

Faith in human nature is inspired by these lines. Without such faith this world would indeed be a veritable "vale of tears," as the orthodox clergy love to describe it. Alas ! the description is too true as regards a very large section of the human race. But are we not on the road towards a better life in this world ? It may interest some new converts to *Lord Salisbury's Primrose League* that the following benevolent principles of *Land Reform*, so much on Professor Ogilvie's lines, were adopted in Skye, as preached by Mr. Henry George, before the *Essay* now re-published was unearthed :—

"Resolutions by the Skye Crofters, passed at Meetings addressed by MR. HENRY GEORGE in January, 1885.

"Whereas the land was made by God, who is no respecter of persons, for the equal use and enjoyment of all the people whom He brings into life upon it, we hereby declare, that any system which compels the people to pay rent to other human creatures, for the privilege of living upon God's earth, is a robbery of labour, and a wicked violation of the benevolent intention of the Creator.

“Resolved.—That while we shall thankfully welcome * any measures that will lessen the tyrannous power which the so called landlords of Skye have exercised over us, we will not consider any measure as a settlement of the land question which does not restore our God-given rights in our native soil, *and does not restore the same full rights to our brethren of the cities, towns, and mineral and agricultural districts of England, Scotland, Ireland, and Wales,* by taking all rent for land for the common benefit of the whole people, and putting an end to the wicked wrong which compels labouring men to want, suffering, and untimely death, in order that idlers may live in luxury.

“Resolved.—That we call upon our brethren, *the working men of the whole country,* to give us their support in obtaining our natural rights, as we shall give them ours in obtaining theirs, and especially we call upon them to enter their strongest protest against the invasion of Skye by armed forces from the mainland, with the object of enabling the landlords to deprive us of the means necessary for the support of our families, by virtue of laws in the making of which we have had no voice.

“Resolved.—That the attention of the Right Hon. Sir Wm. Vernon Harcourt is hereby called to the unconstitutional manner in which the Sheriff and Procurator-Fiscal of the County of Inverness have acted with regard to the people of Skye, and that he is hereby requested to institute an open inquiry into their proceedings, with a view to their impeachment, removal, and punishment, and that the present Commissioners of Police of the County be at once suspended, and a measure introduced into the next session of Parliament

* The Crofters *thankfully welcomed the Crofters' Act* in 1886, but NOT as a *settlement of the land question*—they want “*the adjacent islands of Great Britain and Ireland!*” to share in God’s blessings as well as their own Isle of Skye. Lord Salisbury, it will be observed, *draws the line* at the “old clannish tenure”. Is he a patriotic Briton, or a member of *The Clan na Gael?*

abolishing all such hereditary-landlord-authorities * not founded on the voice of the people.

“*Resolved.*—That this meeting tender heartfelt thanks to the Right Hon. W. E. Gladstone for having successfully carried through Parliament an Act which enables crofters, for the first time, to exercise their right in the making of laws which affect their interests.”

It is from little insignificant facts, observed here and there, that we are sometimes able to discover the course of human affairs, and those movements which now and again lead to the overthrow of long-established systems of despotism and slavery. We discover the currents of the sea by watching the ripples on the surface, and the mere *straws* which float in it. The little nuts stranded along the shores of Western Europe, thousands of years before Columbus was born, carried to our forefathers the tidings of *another world* beyond the Atlantic. The great labour and life problem convulsion in *darkest England* is manifesting itself as a lock-fast land problem in Ireland, in Skye, in Tyree, in Lewis, all along the fringe of the British Isles. In Wales, we have the tithe agitation. It is our old friend, the *greased cartridge*! In 1843, Scotland passed through a “spiritual” *grease* agitation, and then for *forty years*! the spirit of priestcraft and death reigned until the *Battle of the Braes* in 1883. Religion always blocks the way of all *earthly* reforms. Even now, in Scotland, the cry of “the Church in danger” is raised, *purposely* to divert the attention of the community from the *agitation* for the abolition of landlordism. The tithe movement in Wales is perhaps helped by the *enemy* in the

* The *Local Government (Scotland) Act*, 1889, gave partial effect to this suggestion, but owing to the sickly condition of the children of Liberty in Lowland Caledonia, Scotland is still held under Landlord thralldom, excepting that the *Crofters' Act*, 1886, has produced an effect something like the taking of the *Bastille*. Rents in the Lowlands came tumbling down without any *Land Court*!

same way. Irish landlordism always flourished amidst the gore of religious strife.

While we feel the pulse of landlordism at the extremities, and there see its unmistakeable ravages, the heart of the evil is in England, whence it had its source and development. It is there also, in all probability, the problem of its abolition will be finally solved. At any rate, it is safe to say that a grand co-operation for concentrating the *agitation* there, would lead to the speediest and wisest mode of settlement. England, with its deserted fields, and with its increased and increasing *landless* and *labourless* population, is the great question of the coming hour. It is there that the question of real *Home Rule* will come up. What a charming chapter for the future historian to describe the incidents of the glorious year in which England abolished landlordism and parcelled out every acre of land for the use and enjoyment of her people! The descendants of the men and women who will bring about that blessing must feel proud of such ancestors. Or is the English race destined to rot, and leave the fair land to strangers? There is a ray of better hope in the following incident:—At one of the great open air *Demonstrations* at which the *Skye Resolutions* above quoted were passed in 1885, the most earnest Land Leaguers were some of the English Marines; although sent for by the landlords to keep down the *agitation*! Several of them came to shake hands with Mr. Henry George after he concluded a speech to the Crofters in favour of the adoption of the No-rent policy. One of these Marines on coming forward said:—“I know you Mr. George although I never saw you before, I have read your books, and I have purchased three copies of *Progress and Poverty* for my comrades since I came here”.

XI.—EXTRACTS, *from Reports of Royal Commissions,*
1826, 1836, and 1837.

(1.) *Sale of the patronage of Bursaries*: “In 1764, King’s

College Professors offered for sale, by public auction : ‘ *The sole and perpetual right of presentation to 20 Bursaries,* viz., 12 at the School of Fordyce, and 8 at the King’s College* ’”. “ These Bursaries are termed ‘ *Redhyth*,’ having been founded by Walter Ogilvie of Redhyth. The patronage is said to be now vested in the Earl of Seafield, or his Commissioner ; although in the original foundation, the Principal and Professors, with the ministers of Fordyce, Banff, Boyndlie, Cullen, and Deskford, were patrons, and Ogilvie of Boyn Comptroller over the whole. The time when this transference of patronage took place does not appear in any of the Returns by the College, *nor any mention of a sum got by the Sale.*”—*Documents*, pp. 203-8.

“ The property of these Bursaries appears to have been vested in lands, of which the College sold the superiority, retaining the feu duty payable to the fund, but there is no exact account of the money arising from the sale of the superiority having been carried to the Bursary Stock, or General Mortification Fund.”—*Documents*, p. 208.

(2.) *Censure of King’s College by the Commission as to the Ogilvie Bursaries*: “ The Lord Advocate (Rae) and the

* The aggregate annual value of these *Redhyth* Bursaries amounts to £648 ; a tidy sum for *presentation* yearly, among the sons of landlord favourites who fatten on servility ; while the deserving sons of poor parents, whose souls still cling to independence, are excluded from *competing* (!) for such *presentation* bursaries.

When the “ Wise Masters ” sold the “ perpetual right of presentation ” of these and other college bursaries, they used the price “ *as money in their purse* ! ” and why not ? Had they not as good a right to do so as the feudal landlords as regards *the original and contingent value* of lands sold by them ? They most undoubtedly had, and therefore we must not be too hard on these *Wise Masters*. They only appropriated the property of the public, because the public stupidly permitted them to do so. As public dispensers of knowledge, they were not more guilty than the Landlords who were the public dispensers of Justice at the time they stole the land from the people.

Solicitor General (Hope) were appointed in 1828 to frame an answer to Professor Scott's Letter on these Bursaries. And in 1830, after reading a letter from him, the Commission directed that the Principal and Professors of King's College be requested to take care to prevent all similar misappropriations of the funds of this or of any other endowment connected with that College." —*Minutes*, pp. 41, 60, 65.

(3.) *The Leys Bursaries misappropriated*: "The late Sir Robert Burnett complained to the Commission that the College only paid his Bursars, three in number, £5 each, while the lands in which the property is vested, being Dee Street, Gordon Street, &c., yielded in 1825 an annual income of £318 6s. 7d. These lands Sir Thomas Burnett, when founding the Bursaries in 1648, had mortified to the College, retaining the patronage of the Bursaries for himself and heirs." It was admitted that from the *surplus*, "there was given to each of the stated members (professors) of the University upon an average £10 annually".—*Report of King's College*, p. 326-7.

(4.) *Disappearance of Bursaries*: "Lorimer's and Reid's Mortifications do not appear at all in the accounts. That there were such, there is no doubt. They are mentioned in an Abstract prefixed to the accounts in 1700; but the Accounter states that he had no intrusions with them, and there had been none that can now be ascertained." *Evidence*, p. 60.

(5.) *King's College Debt*: "The College has contracted a very considerable debt. In 1775 the amount of debt appears, from the accounts transmitted, to have been £3,944 5s. 2d. In 1800, £6,283 8s. 7d., and in 1824, £8,465 6s. 10d. It thus appears that, during the last 50 years, the debt has increased at the rate of about £90 annually." *Report*, p. 311.*

* In 1786, the *Seven Wise Masters* successfully opposed a Government Visitation, yet strange to say they managed to get £1700 from Government in 1807 as a grant to help the College to pay its debts, and in 1808 a Government Grant of £700 per annum was secured to the College or

(6.) *Alienations*. "The College sold the superiorities of its lands in 1752." "Sold the patronages of ten churches in 1765." *Report*, p. 311.—"Sold the lands of Lochhills on the west side of Old Aberdeen, presently in the hands of Mr. Leslie of Powis. The date of alienation is not known."—*Evidence*, p. 59.

"Part of Canonist's Glebe alienated in feu rights to different persons."—*Documents*, p. 196, 233.

"On the 12th October, 1784, a majority of the Senatus (one* only having dissented) agreed to feu to Mr. Leslie of Powis the part of the canonist's Glebe, *lying next to his grounds*, at £3 10s. per acre. About the same time part of Humanists' Glebe was alienated."—*Documents*, p. 196 (p. 218 *Ante*).

"Lands called Cairntradlin and Scots Mill were sold *with the consent of the Synod of Aberdeen* by way of feu in 1753." *Documents*, p. 200; *Report*, p. 312.

N.B.—The oath taken in those days by each Professor

the same end. (*Report*, p. 310.) The *Wise Masters*, however, managed after all to go on increasing the College debt, as above stated. But they *wisely arranged* to postpone all *Visitations* to a convenient season. They were all gathered to their fathers before 1826.

During the sixteen years, from 1808 to 1824, the college debt would have increased to £30,000, counting interest, if Government had not come to the rescue. Compare such mismanagement of funds with the proposal by the practical Professor Ogilvie of an *Accumulating Fund*; whereby the whole college debt might have been cleared off without taking one penny out of the Public Purse. This "*Accumulating Fund*," after all debts were paid, was intended for the endowment of a chair of Practical Husbandry. See pp. 224 and 229 *Ante*. Professor Ogilvie's *Protests* against the mismanagement of the *Wise Masters* were set aside as too "frivolous"—they refused to enter them in the college Minutes (April 9, 1785); and he then inserted them *by his own hand* (p. 225, *Ante*).

*This is a sample of the way in which Whig and Tory reformers systematically boycotted Professor Ogilvie's name, not only while he lived, but also after his death. Even the College Reformers who took up his cue in 1839 and 1858, in favour of the union of the colleges effected in 1860, when actually quoting the words of his *Protests* and *Dissents*, carefully avoided mentioning his name.

concludes thus: "*That I will defend every right and privilege of the College; and as far as in my power see to its advantage and utility in all things. So help me God.*"—*Documents*, p. 151.

The *seven wise masters* pleaded that oath, as binding on them, against all the college reforms advocated by Professor Ogilvie and others in 1786; they were marvellously conscientious in other things—were they not?

(7.) *Opinion of the Royal Commissioners as to Alienations of Property*.—"With the exception of Marischal College, Aberdeen, there have been many alienations of property belonging to all the colleges. We are disposed to think that the alienations which have hitherto taken place have been altogether illegal, and that they are in opposition to the provisions of an Act of Parliament of Scotland. Resolved, that no sales, feus, or alienations of any description whatever, of any part of the property belonging to the colleges, or the granting of any building or beneficial leases of any part thereof, ought to be allowed without the authority of Parliament."—*General Report Abstract*, p. 131; *General Report*, p. 24; *Minute of the Commission*, 22nd October, 1829.

N.B.—Compare with Professor Ogilvie's *Opinion* in his *Protest* in 1784. *Vide* pp. 220 and 227 *ante*.

XII.—EXTRACT from *Documents compiled by a Committee of Graduates, Aberdeen*, 1839, p. 26.

The Professors of King's College sell the Chime of Bells given by their Founder.—"There is in this Universitie a magnifick and illustrious Colledge, built at commandement of the Most Noble King, James the Fourth of happy memory, and hence called the King's Colledge, having a Collegiate Kirke and Steeple, both of hewn stone, curiouslie wrought, and the steeple hath within it ane musical harmonie of costly and pleasant bells".—*Memorial to Charles I. in 1634*.

"These bells survived 300 years, till about the close of the last century, when they were sold ; but there is no mention of the price obtained in the accounts yet published. There were five bells ; the largest, 3 feet 10 inches across."

XIII.—EXTRACTS from "*A Complete Collection of the Papers relating to the Union of the King's and Marischal Colleges of Aberdeen,*" published in 1787.

(1.) How long is it since the Professors of King's College became so solicitous for the education of the poorer sort? How long is it since they avowed in public a different system, declaring, almost in the words of Mandeville, that education ought to be confined to those who had property, or the certain prospect of a settlement in a learned profession?* For this good purpose did they not reduce their bursaries to one half the number? Where was then their scrupulous attention to the spirit, or the letter, of Bishop Elphinston's foundation?

(2.) Is a royal Visitation any attack on their rights? Will they misapply the college revenue bestowed by *royal* bounty in feeing lawyers, to contest a salutary, constitutional, and hitherto undisputed, exercise of the *royal* prerogative? But they have too great a *regard for liberty* to acquiesce. In zeal for liberty, and a true comprehension of its interests, Buchanan was at least equal to any modern Professor. Yet he, in the reformation of St. Andrews, recommends Quadriennial Visitations by the Crown.

(3.) Is it a becoming application of the money of either society, to employ it in consulting lawyers to oppose a Government Visitation? And should the Principal of King's College, with his adherents proceed to employ lawyers for resisting a

* See their advertisement, p. 190, *ante*.

Visitation ; will not that be acting *just as* the old lady, somewhat disordered in mind, who sent for her attorney and feed him, to keep the physician from entering her house ?

(4.) In general it will be allowed, that where enquiries of this nature are called for by any part of the public, the more they are resisted by individuals having interest, the more their necessity becomes evident.

(5.) When a founder distinctly declares the end he has in view, and afterwards points out the means by which that end may be accomplished ; a strict regard is due to the former, and, in order to carry it more effectually into execution, a liberal construction should be applied to the latter.

(6.) We maintain that establishments of a public nature, and for purposes of public utility, may be altered and improved, while the intention of the founders is observed, by authority of the legislature, in order to render them more extensively useful ; and such changes have been frequently made, though seldom so soon, or so extensively as they ought. The opinion of unalterable rules is now generally exploded ; the propriety of reasonable innovations is agreeable to the common sense of mankind, and of such innovations in our Universities, introduced by competent authority, we have many instances.

(7.) Whether, from the salaries of the Professorships proposed to be suppressed, and the savings to be made by that most excellent scheme of a sinking fund, an endowment should be settled upon some well qualified person for giving lectures on Practical Husbandry, and the best method of improving a farm ? Whether the instituting a professorship of this kind unknown in other seminaries, would not do much honour to the United College, and prove of more real service to the community than many of those frivolous contemptible arts that are so eagerly cultivated, such as singing, fiddling, dancing, spouting, declamation, and the like, for all which there are *schools* and *professorships*, but none for agriculture, the most useful of all arts ? Sola res rustica, quæ sine dubitatione proxima et

quasi consanguinea sapientiæ est, tam *discentibus* eget, quam *magistris*.

(8.) Whether it is probable that the Royal Visitors will examine very minutely into the present state of both Colleges, the modes of education, the course of prelections, the management of the revenue, its application, improvement, or dilapidation from time to time, the condition of the PUBLIC LIBRARIES and Museums ; and into the abilities, learning, and assiduity of the Masters, in the exercise of Academical functions ?

(9.) Whether it is not probable that the Royal Visitors will *ex nobili officio*, declare it to be essential to the future economy of these PUBLIC SEMINARIES that neither Principal nor Professors be on any pretext excused from residence, from active labour in their vocations, or from giving a regular course of lectures in some department of science ; and that sinecures shall be everlastingly abolished in the University ?

(10.) When an institution is intended to *promote education* ; to apply the funds to any purpose of a quite different nature, however useful to the public, is to abandon the *end* of the founder ; to alter the regulations, the number and departments of the teachers, or the course of sciences taught, is only to change the *means*, and if the alterations be proper the end is thereby more effectually promoted.

(11.) Systems of pretended science the most chimerical, contentions about unintelligible words, and a superstitious theology which inculcated tenets subversive of the Spirit of Christianity, and degrading to human nature, were long the only objects of study in the Universities, and some of them are not yet entirely exploded.

(12.) An attachment to old rules and customs is a principle of powerful and general influence. They have the advantage of present and long possession, and are not easily overturned. Improvements of undoubted utility have often been long postponed after the circumstances of the times required them, and in some instances altogether neglected.

XIV.—THE CHRONICLE OF STRATHCONON, *continued*.

The *Strath*, or great glen, of the river Conon is a Highland district extending to about twenty miles in length. In the beginning of this century it maintained a comfortable, healthy, happy and virtuous population of not less, it is said, than 3000 souls. It is now chiefly under deer, grouse and sheep. There is no branch of the Land League within its boundaries; peace, contentment, desolation, death and Balfourism reign in that happy region! There is some hope for Ireland yet! In the year 1850 there was a famine in the Highlands. "*God sent it*," the clergy said. And under cover of that *divine visitation* the Balfours effected the last "clearance" of Strathconon. And the Almighty, as the Supreme Ruler of the universe, is believed to co-operate with evicting and sporting *gentry* of that kind, and to put His *Amen* to all their acts of oppression and robbery, as if He had specially created this world for landlords only, and given them full power to treat the rest of mankind as mere vermin. Mr. Balfour keeps two clergymen in the Strath, who *are still bound* to preach such doctrine. One of them, the Free Church "divine," has no *fixity of tenure*, has no right to tithes, and the *Sustentation Fund* and other estate perquisites would be stopped the moment any sign of *agitation* appeared in the place. The other, the *Established* "divine," is more independent; and why *he* does not *agitate*, gives rise to the question: Does he also get *Sustentation Fund* from the landlord, over and above his stipend?

The area of Strathconon is stated at 71,900 acres; and the question, plainly put, is this: Is Mr. Balfour responsible to the people of this country for the mismanagement of that place, or are we to believe the *divines* who tell us that "he is only an unfortunate instrument in the hands of an angry God, whose decrees against a sinful people must be submitted

to?" There is much need of the real I AM of Moses in Strathconon and such like places.

There are many men, women, and children starving in *Darkest England* for want of land—for want of labour; and the evicted and rack-rented Celts of Scotland and Ireland help to glut an already glutted English labour market. Let the reader, therefore, consider the question in connection with the following economic picture of Mr. A. J. Balfour's *Home Rule*:—

RENTAL OF STRATHCONON, as per County Valuation
Roll, 1889-90.

Four sporting tenants, and one absentee landlord, ...	£2535	0	0
Two absentee sheep graziers,	760	0	0
<i>Desolation</i> area represents a rental of ...	£3301	0	0
One Free Church clergyman,	£8	0	0
Four tenant farmers, who pay the following rack-rents: £50, £70, £75, and £100 respectively—in all, ...	295	0	0
Sixteen crofters, chiefly retained as <i>hewers of wood and drawers of water</i> , who pay an aggregate rack-rent of,	143	0	0
<i>Population</i> area represents a rental of ...	446	0	0
Total yearly rent,	£3747	0	0

It is right to mention here that Mr. Gerald Balfour, M.P., the proprietor's brother, in giving evidence before a Select Committee of the House of Commons, on 21st July, 1890, said that the population was not less than 1100 souls in 1829, and that it is now reduced to 233 souls. Of these—the dregs of the old population—it would appear that 128 souls are landless parasites who hang about the kitchens and dunghills of Mr. A. J. Balfour's shooting lodges. He admitted that all the sixteen crofters also belong to the same Balfour-parasitic

species; and he added that they "are perfectly contented". He also admitted that his brother built a manse for the Free Church minister, and that he pays a portion of his stipend besides. He referred to the evictions carried out by his father in 1850, as "a weeding out of the population". He said there had been no evictions since 1850, but, nevertheless, he was obliged to admit that the population has decreased more than one-third since then. What does this mean? It means that death has done its work among the old folks, and that marriages are forbidden in Strathconon. And yet "the people," says Mr. Gerald Balfour, "are perfectly contented". They desire no "agitators" among them, he also said.

The children of Israel were precisely in the same "perfectly contented" condition when Moses first tried to stir them up, were they not? When Moses returned from exile with the I AM spirit within him, and his serpent wand in his right hand—the wand of studied wisdom, exchanged for the *black thorn* with which he, as an impetuous youth, killed an Egyptian—how did the children of Israel regard the first outgo of his "agitation?" They said: "THE LORD look upon you, and judge; because ye have made our savour to be abhorred in the eyes of Pharaoh, and in the eyes of his servants to put a sword in their hand to slay us".—*Exodus*, v. 21.

That Moses must have felt quite scunnered at these "perfectly contented" slaves, we need not say; but being prompted by his I AM—the *light of Nature in the inward soul*—and aided by his SERPENT WAND—the *powers of Reason*—he persevered, and told his kinsmen about the freedom which JEHOVAH was prepared to bestow upon them if they would only behave like *men*. "But they hearkened not unto Moses, for anguish of spirit, and for cruel bondage." This was an eye-opener even to Moses himself. He then clearly saw the cause which produced the "perfectly contented" condition of his kinsmen. And there and then his I AM spirit resolved to "speak unto Pharaoh," notwithstanding that his *Reason* protested thus:

"Behold, the children of Israel have not hearkened unto me ; how then shall Pharaoh hear me?" and thus : "I am not eloquent, neither heretofore, nor since thou hast spoken unto thy servant ; but I am slow of speech, and of a slow tongue". We know the rest ; he utilised Aaron as an "agitator" ; he made Aaron's tongue speak the I AM principles of Revolution against the *Law and Order* of Egypt ! There was some diplomacy there ; and he succeeded with his plans in a most expeditious manner. But, after all, the aid of the clergy, though seemingly diplomatic at the time, was a mistake. He admits that "the anger of the LORD was kindled against" him ; and we know that the "Golden calf" tomfoolery and other difficulties, which he had to contend with in the wilderness, were entirely due to the evil influence of Priestcraft.

Moses was a marvellously advanced man. Were he to visit the world of to-day he would unhesitatingly tell the people that the "divinity" professors, who profess to teach the meaning of his books, understand less about old Hebrew poetry than almost any other class in the community. And as for their having any sympathy with his unmistakable I AM principles of Revolution against tyranny, they have none ; they stick fast by the slavish creed of the brickmakers referred to in *Exodus*, v. 21. How can we expect these "professors" to be able to penetrate the vail of ancient allegory, or eastern metaphor, if incapable of realising the double nature of man, brought out so clearly, and with such homely simplicity, in the *Twa Dogs*, who argue with each other like the I AM and the ME of Moses. And further, if such "professors" are blind, deaf, and dumb, in regard to tyranny and oppression in full swing all around them, how can we expect these persons to understand or appreciate the doings of a man like Moses, and far less to have any respect, sympathy or veneration for that I AM SPIRIT which prompted his glorious actions as a leader of LIBERTY ? Heaven help all young men *from the country*, who come to town *to learn divinity* !

Appendix.

It is not strange that Professor Ogilvie desired to revive the Agrarian laws of Moses ; neither is it strange that he touched the clergy *with a gentle hand*, knowing, as he did, the polluted fountains of their *inspiration*. He, with Adam Smith and other distinguished contemporaries, regarded Universities as the sanctuaries of ignorance, and the seminaries of “ a superstitious theology which inculcated tenets subversive of the spirit of Christianity, and degrading to human nature ”.

What did Oxford do to bring about the I AM Revolution of 1688? Oxford, on the eve of that Revolution, burnt the political works of Buchanan and Milton ! Oxford, in a solemn decree, congratulated Sir George Mackenzie (a believer in the supernatural power of witches and Kings), “ *for having confuted the abominable doctrines of Buchanan and Milton, and for having demonstrated the divine right of kings to tyrannise and oppress mankind.* ” And Oxford has not yet recanted. On the contrary, this *Alma Mater* has only lowered her *degrees*—lowered them, from kings to landlords ! And now the “ divine right ” *to oppress mankind* can be bought and sold in the market like a pig ! But dealers in pigs are restrained by the rules of common honesty, and are also restrained from oppressing the pigs by the laws “ for the prevention of cruelty to animals ” ; which rules and laws, however, do not apply to landlords. They can rack-rent and evict as they like, barring some recent restrictions *on pig-legislation lines*, in Ireland and in some parts of Scotland.

Thomas Chalmers, speaking in 1841 from the Professor of Divinity's Chair in Edinburgh of “ the public feeling of reverence for the grandee of a neighbourhood,” which he then recommended to the people of Scotland as the truly I AM divine principle in human nature, did admit the twofold nature of man. “ It is true,” he *then* said, “ that this reverence of which we have spoken forms part of man's nature. But his is a compound nature, made up not of a single, but of various affections—any of which, as the affection of rank [!], might be

neutralised, even prevailed against, by the operation of the rest." He then argues why "the deference for rank is by itself so strong?" And his explanation is, because it "is inserted, we have no doubt [!], as a principle in the human constitution, by the author of our frame." "Yet," says he, "it is not so strong, but that it might be nullified, nay reversed, by passions stronger than itself." Who "inserted" these, and *made them stronger?*

Let us examine the logic of this alleged *divine principle of homage and reverence "for grandees"*—the insignificant petty tyrants "*of a neighbourhood!*" In the same breath with the great grandee Moses had to do with, let us not mention *Brummagem Pharaohs!* But let us note this, that Thomas Chalmers, in 1841, had a very confused notion of the real I AM principles of Moses. He resembled Moses after he had cast down his rod, and was afraid to pick it up again. Two years later, he headed the Free Church revolt against the same "grandeess". His staff, "*we have no doubt,*" wriggled in the interval somewhat like the staff of Moses. It, however, did not become a serpent. It actually became a hermaphrodite, resembling a *Liberal-Unionist*; and it took the unfortunate Thomas Chalmers two long weary years to catch it "by the tail" in proper orthodox fashion; because its head and tail could not be distinguished from one another, and, unlike the *serpent*, it had no appearance of a wisdom-bump anywhere about it.

It was only in 1843 that the Light of Nature ("the burning bush!") dawned upon the soul of Thomas Chalmers. It was only then that *his* I AM resolved "to speak unto Pharaoh". But he entirely failed to tell the people about his *revelation*—his discovery that the great I AM principle was never *inserted in the human constitution by the author of our frame* for the purpose of coercing the bulk of mankind to submit to the tyranny of despots or priests; but, on the contrary, the I AM principle is the *principle of Revolution!* After its mani-

festations in the way Moses was "*commanded*," and in the way he carried out his *Plan of Campaign*, is it not the very essence of impudence to attempt to blind mankind by such misrepresentations as the "professors" of modern theology, as a rule, indulge in?

In the circumstances, considering the ignorance actually taught in our Universities and Colleges, we ought to pity rather than blame the rank and file of the clergy in town and country when we meet the blind leading the blind. How can things be otherwise, so long as the "crime" of *Free Inquiry* remains on the Ecclesiastical Statute Book? Can the example, as well as the precept of Moses help us here? Emphatically, Yes. He was not only the Prince of Revolutionists, but he was also the Prince of *Free Thinkers* and *Free Inquirers*. When "the angel of the LORD appeared unto him in a flame of fire out of the midst of a bush" (*Ex. iii.*); "and the LORD said, I have surely seen the affliction of my people which are in Egypt, and have heard their cry by reason of their taskmasters": "Come now, therefore, and I will send thee unto Pharaoh, that thou mayest bring forth my people, the children of Israel, out of Egypt"; What did Moses say to this? "And Moses said unto God, Behold, when I come unto the children of Israel, and shall say unto them, 'The God of your fathers hath sent me unto you'; and they shall say unto me, 'What is his name?' what shall I say unto them?" Moses was not to be satisfied with the "*God of his fathers*," or the "God of Abraham!" he must have a God *for himself*, namely, the I AM. "And God said unto Moses, I AM *that* I AM: and He said, 'Thus shalt thou say unto the children of Israel, I AM *hath sent me unto you*.'" "And God said, moreover, unto Moses: 'This *is* my name for ever, and this *is* my memorial unto ALL GENERATIONS!'" It is not I WAS, or *my Fathers were*, but I AM!

Reader! have you got an I AM? Because, if not, Nature has made a mistake; you should have been born with four

feet, a long nose for smelling along the ground, and a tail which you could occasionally wag by way of expressing your reverence and homage for some *Master*, whose will, even when he is kicking you, *must be your pleasure!* Remember that every day brings forth its own light and heat, its own Truth and God, and the Truth and God of yesterday, like the light and heat of yesterday, are no longer available. Behold, the light of the past is darkness, and the heat of yesterday sustaineth not the life of to-day. It is enough to say that the fossilised "*Jehovah*" of modern Theology is the God of Mr. A. J. Balfour at Strathconon, and of the Duke of Argyll at Inverary. The same fossilised "*Jehovah*" is the God of the British House of Commons, and has been the God of that House for centuries, when making many anti-I AM laws: laws of oppression, coercion, slavery, wars, and murders, including the murders of starvation caused by the monopolising of land—preventing its use and cultivation. The landlords—murderers (!)? Yes. ST. GREGORY THE GREAT said so, more than twelve hundred years ago, long before Buchanan, the Saint-Andrews, Oxford, and Spanish Inquisition "*damnable heretic*," was born:—

"Let them," said he, "know that the earth from which they are created is the common property of all men; and that, therefore, its products belong indiscriminately to all. Those who make private property of the gift of God pretend in vain to be innocent. For in thus retaining the subsistence of the poor they are the murderers of those who die every day for want of it."

Next to the I AM creed of Moses, who was the Greatest and Grandest of all *Spartans*, we have here, perhaps, the most clear and the most concise economic creed ever uttered or penned. But it is only an amplification of the I AM creed. The *First Commandment* is only an amplification of that same everlasting creed; and, as a *Declaration of Independence*—the independence of an enslaved people—the

inspired and inspiring God-given words I AM are unsurpassably comprehensive, unsurpassably tyrant-proof, unsurpassably laconic.

From the *First Commandment*, the amplification proceeds in the *Second*, and enjoins the prevention of sham gods, sham dukes, sham lords, and "*dummies*" of all sorts; and implies the exclusion of all sham creeds descriptive of spurious gods recommended for "homage," "reverence," or "worship," in room of the I AM genuine God of mankind, the God of Liberty, Justice, and Impartiality. The "grandee" spurious gods generally require their worshippers to adopt the *Egyptian Faith of Passive-Obedience*, which is the very opposite of the anti-tyrant I AM Faith—the Faith of all who believe in, and *actually* worship, the true and living God, who is not an *I was* dead and gone God.

From the *Second Commandment* the amplification still proceeds in the *Third*; and urges practical manliness on the part of mankind. "Thou shalt not take the name of THE LORD *thy God* in vain." You are not to palaver about this I AM, as *your* God, as the Jews hypocritically did about *their father Abraham* in the time of JESUS CHRIST, until JESUS was at last so tired of their cant that he exclaimed: "Ye are of your father the Devil!" It is a human weakness many have, this boasting of the nobility of their ancestors, and the creed and god or gods of their forefathers. Many people are thus satisfied; and no doubt the slavish Israelites in Egypt disgusted Moses with their useless, dead, dry-bone and rotten "divinity" of Father Abraham at the time he was stirring them up against Pharaoh. He knew very well that any man who has the I AM spirit in him rebels at once against all forms of tyranny. And, therefore, the *Third Commandment* forbids all palaver and boasting, and all vain petitions and prayers on the part of a swinish multitude of slaves who are afraid to do anything that would make *their* "savour to be abhorred in the eyes of Pharaoh, and in the eyes of his servants". Yes, even

afraid of the "*factors, grieves, trustees, and bailies*" of Land-lord Pharaoh!!!

There was also much need for the *Third Commandment* in the Wilderness, where these born and bred slaves actually "*murmured against The Lord*" (!), and sought to go back again to Egypt. There was just as much need of it in Scotland when Burns wrote his War Song—

"*Scots! wha hae wi' Wallace bled*".

And the real spirit of the *Third Commandment* will be found in the lines:—

"Avaunt! thou caitiff servile, base," &c.,

already quoted on page 172; and the lines:—

"Hear it not, Wallace," &c.

(page 165) also explain how disgusted all I AM spirits like Burns felt in those days. It is not to be wondered at that William Ogilvie took his *Political Economy* from the Books of Moses. He had the I AM spirit—

"Let us Do—or Die!!!"

But what could *he* do, when the powerful, soul-stirring songs of Burns fell quite flat on the ears of the enthralled multitude. There was scarcely one Helen MacGregor in poor Scotland then brave enough to say:—

"My foot is on my native heath!"

No! The I AM Faith was dead and buried in the *churches and church-yards*, or "*fled*" or *transported* to foreign lands. A great many did not die a natural death, it is true—they were murdered by the *Law and Order* of those times, and the "*Christian*" *Church of Scotland* said *Amen!*

Having touched the *Political Economy* of Moses, let us glance at his *Manna Regulations*. He said: "This is the

thing which the LORD hath commanded, '*Gather of it every man according to his eating, an omer for every man, according to the number of your persons; take ye every man for them which are in his tents*'". And he tells us that some greedy scoundrels gathered more than they required, and that "it bred worms and stank". Now, we clearly see the doctrine of "equality of justice" which Moses recommended. Each got an equal share, and no more. Moses did not even make any exception, like Joseph and such-like politicians, *in favour of one single Priest!* For once in the history of this world there were no poor—actually *no poor!*—and all were equally rich, and were satisfied; with the exception of those who gathered more than their own share, and who thus began the breeding of *worms*, and the raising of *stinks!* Can this be true, or is it a mere fable?

To test the Political Economy of Moses, the modern sceptic need not remain long in doubt. Without going to Ireland, one can always view the crawling *worms* of Strathconon, and feel the *stink* of the Balfours twenty miles off. It is enough to go the length of Strathpeffer. The railway stations nearest to Strathconon, called by the natives—"Sodom and Gomorrah," need not be visited. Like Inverary, the county town of Argyll, which, in reality, is simply the dunghill of Inverary Castle, where sits His Grace the Duke of Argyll, it is necessary to warn the tourist not to tarry at *Sodom* or *Gomorrah*. The *worms* bred by Argyll may be met with in the slums of London and Edinburgh, not to mention Glasgow, and the ducal *stink* will certainly be felt strong enough in that last-mentioned city. The most recent visit by an I AM soul to Inverary was in the year 1787. The visitor was *Luath*; and, as matters have not changed, in the least, since then for the better, let us accept the warning of this

—"gash an' faithfu' tyke
As ever lap a sheugh or dyke".

This is what he said about Inverary :—

“ Whoe'er he be that sojourns here,
I pity much his case,
Unless he come to wait upon
The Lord their God—his Grace !

“ There's naething here but Highland pride
And Highland scab and hunger ;
If Providence has sent me here
'Twas surely in an anger.”

Lucretius directed his electric darts against the priests of *Venus*, but they struck equally straight at the equally-besotted, lecherous, and superstitious Jewish priests of the days of Christ. Buchanan levelled his cross-bow at the Romish monks, but his arrows were dreaded quite as much by the Protestant clergy of the days of Burns ; and the arrows of Burns hit the “*unco guid*” *Free Kirk* “divines” of the present day, though directed by him against the *Auld Kirk* “divines”. It has been found necessary to slander Lucretius as a madman, Buchanan as a fool, and Burns as a drunkard, in order to save the reputation of spurious Christians, who “profess” the principles of the Christian Faith—a *profession* on a par with the Jewish “profession” of the I AM “*Memorial unto all generations*”.—*Ex.* iii. 15.

It is not said that the priests murdered Moses ; but, when we consider his mysterious death, the hiding of his body, and the hot haste with which Jericho was sacked, as soon as they got rid of him, and that they “utterly destroyed all that was in the city, both man and woman, young and old, with the edge of the sword”—all except “Rahab the harlot, and her father's household, and all that she had,” what jury of sensible men would hesitate to bring in a verdict against them for the murder of Moses ? His murder was nothing to the Jericho massacre. And the blasphemy of blaming God for it is quite worthy of the perpetrators. They held Calvinistic views in

those days ! It is very difficult to discover any *new evil under the sun*. The whole genius of Man, until yesterday, was held in serfdom, closely chained to the cultivation of *evils*—hence the over-production of such *goods* ! The chains could be easily broken, were it not that the bulk of men and women are “perfectly contented” to wear chains and collars, like the crofters of Strathconon, who worship their *master* as a model landlord, and who pray every day, and especially every Sunday : “*God bless the Duke of Argyll ! and have mercy on the Balfours ! Amen !*”

Having now travelled through the glens and hills of Strathconon—did so *incog.*, the only way of getting any information for “agitating” purposes—we feel *game* for further discussion with our old friend, *The Reverend Maister Whatefer*, who is still enjoying a holiday at Strathpeffer, where we picked him up the other day. Two or three days at the Strath did him no harm, he said. “The water is ferry goot, but ferry tangerous for all teetotallers, or such as take too much of the dram, and too much of the water itself is not ferry goot neither. As for myself,” he added, “I am ferry *moderate* in eferying except *re-ligion*”. Having discussed a moderately good dinner, together with various facts connected with landlordism in the country of Wallace, Bruce, Buchanan, Burns, and Ogilvie ; and as to whether the last two ever met, it was an agreeable surprise to hear an antiquated Free Kirk “divine” exclaim :—

“Nae doubt but they were fain o’ ither,
And unco pack and thick thegither !”

He then resumed, what he calls, his “Chronicle” :—

Now, although I hafe, as a minister, to keep town all *agitation*, I must show a sort of sympathy with it ; and notwithstanding it is the Kospel of peace I always preach, still I must sympathise *in reality* with those who come to look at the land, and at the ruins of the old twellings, from which their ancestors, or maybe their parents, or themselves when children were

evicted. It would be a great wonder if these were not Land Leaguers whatever. Even my own boys are growing up on the side of the *agitation* in spite of me—especially since that visit of their uncle from Australia. And what to you think of more than one of my daughters turning Land Leaguers too? They never got over the 'prisoning of the Skye and Clashmore women, and the pouncing by Lord MacTonal of that papy *at a sixpence whatever!* For they tell me to my face that that papy had a soul as valuable as a papy pawn to Lord MacTonal himself, and perhaps a body as good, if not better, too.

It was about the very time that ungodly pouncing took place, that *Rory Bawn*, from Lewis, came to my district to hold a Land League meeting,—which he made me open with prayer. For he said, if I refused, he would ferry soon get the *moderate* minister to do it. And that was the sort of man was *Rory Bawn*; but otherwise he was a very godly man, and the pest in the whole country for making a prayer, or speaking on the question at *Communion*s, or lecturing on a portion of Scripture when the minister happened to be from home. And he was a very powerful agitator whatever, for the eleven Free Church ministers in the Isle of Lewis could not make a stem against him, and could not keep him under whatever.

And the agitation grew so strong in the Lewis, with police, soldiers, marines, and *teer raiders*, that Lady Matheson at last ran away and left the island there! But she was no very wise whatever; for when the crofters and cottars came to her with some grievance, she stamped her foot, and said this, in the face of the people: "The land is mine, and I can do with it as I like!" Now *Rory Bawn* was well up in the Scriptures of the Old and New Testaments, and he very easily controverted that. And all the people followed him, and some of the wildest of them cared very little for bloodshed, if matters were pushed. And the police, and soldiers, and marines were of very little use whatever, except for helping on the agitation; and they only took away to prison a few innocent outsiders—some of

them sailors who were at home in Stornoway on holidays. And they took goot care not to go near *Rory Bawn* whatefer ; although eferybody knew that he was the most real Land Leaguer in the island of Lewis, for he refused all sorts of pribes from the Tories and Unionists, who offered to kive him a yearly salary.

And he was ofer eighty years of age then ; and I ton't pelieve the crofters ever offered him one penny, although he himself was not aple to go to the fishing to make money. Putt, as he is now tead, they will ferry likely raise a stone on him. It is generally after teath that the people do anything for any one who works on their side as *Rory Bawn* tid ; for it was well known that he tid not, like some others, work for his own interest whatefer. There are some "agitators" who are not ferry reliaple or true to the cause, or to anything--men who never tid any goot except mischief since they were porn. These are like some pad ministers, putt, you see, theology and the Biple are not to plame for that whatefer !

By the way, it was at King's College, Aberdeen, that my wife's father studied, and he had many stories apout all the Professors there, although I forget their names. If my wife's prother William, who tied only a year ago, was alive, I ain sure he could tell something apout such a man as Professor Ogilvie, for he knew all his father's old stories. I remember hearing apout a ferry radical Aberdeen Professor of that time, who had to do with the innovation which spoilt the Universities ; py opening the doors to the children of poor men, without kiving any compensation to those who formerly enjoyed the exclusive privileges and endowments of education. Now, that unjust and wicked innovation was fully as pad as the *Crofters' Act* of 1886, which kives no compensation to landlords for the reduction of their rents, or cancelling of arrears, or the privilege of evictions, and taking over *kratis* the houses and improvements of tenants put away. And there you see, when innovations were allowed as to College privileges, it was not likely that they

should stick at landlord privileges whatefer. For no privileges should be held more sacred from confiscation than those connected with colleges and education.

Look on England—there is no land agitation there whatefer! For they have still *conserved* all the privileges of Oxford and Cambridge for the nobility and gentry, and that's the reason why so many of the English, who ton't pelong to the *privileged* classes, have to send their poys to the Scottish Universities. There pe now from one to two thousand English poys attending the Scottish Universities, and many of them come as far north as Aberdeen, in order to ket the penefit of the University there, although it was specially institutid originally for poor Highland poys; while at the same time the sons of the Scottish nobility and gentry, and of the Irish too, along with the sons of the English upper ten, are enjoying all the endowments and privileges of Oxford and Cambridge.

Putt things in England may go wrong ferry soon too, for they took in Professor Robertson Smith there, after he was put out of the Free Church College of Aberdeen. For you see, that innovation about colleges and education is the first step of the mischief, and it will pe a wonder if Professor Robertson Smith refrains from writing a Land League pook too. That indeed would be a kreat tanger not only to England and Ireland but to Scotland as well, pecause the Scots, except ferry few, tid not pelieve in his new toctrines apout Moses, putt if he turned a Land Leaguer, like Moses himself, all the Highlanders would then pelieve in him whatefer.

You see clearly how that old radical Professor Ogilvie who pegan the innovations of the Aberdeen Colleges was also the author-of a Land League pook.

Putt he tid a much wickedder thing than that, when he wrote a jubilee treatise on the Land Laws of Moses; which laws commanded the people to apolish not only all landlordism and slafery, but likewise all money-lenders and mortgagees too. And it is a ferry tangerous argument to say that *Jesus came to*

fulfil those Laws, and that every landlord must "return every man into his possession" *of the land*, all in accordance with chapter xxv. of *Leviticus*. The parable of the Tuke of Argyll—who is a *Campbell*!—having to go *through the eye of a needle*, is also a very wicked argument whatever. And, moreover, it is very much against the *Confession of Faith* to say that the clergy, after the example of Jesus, should try to save the souls of the rich by advising them to give up all their lands to the industrious poor; or to sell for a price such lands in towns, villages, and cities as are valuable for building stances, and to give the whole price thereof to the poor, especially the poor whose labour *earned* the wrongly-called 'un-earned increment' of the value of such lands. For this is the Kospel *Notice to quit*! And to the clergy who fail to deliver this *Notice*, and to the landlords who fail to obey it, the Lord says:—"If ye will not be reformed by me by these things, but will walk contrary unto me; then will I also walk contrary unto you, and will punish you yet seven times for your sins. And I will bring a sword upon you, that shall avenge the quarrel of my covenant. And I will destroy your high places, and cut down your images, and cast your carcasses upon the carcasses of your idols, and my soul shall abhor you. And I will make your cities waste, and bring your sanctuaries into desolation"—all as foretold in chapter xxvi. of *Leviticus*, which raises a very difficult point in the minds of all those who believe in the Scottish *Confession of Faith*, and in the English and Irish *Faiths* too, more especially on account of the French Revolution fulfilment of that very old law.*

* Lord Macaulay, speaking in the British House of Commons, on Parliamentary Reform in 1831, appealed to the English Aristocracy, to take warning by the fate of the *noblesse* of France. "And why," asked Macaulay, "were those haughty nobles destroyed with that utter destruction? Why were they scattered over the face of the earth, their titles abolished, their escutcheons defaced, their parks wasted, their palaces dismantled, their heritage given to strangers? Because they had

Putt, as I was going to say, the story of Professor Ogilvie's *Essay on the Land Question*, written in Scotland apout the year 1781, is ferry strange, and prings to my mind a tifficulty my wife and myself always had apout Purns and his *Twa Dogs*. Where tid Purns get all his information apout the *outs* and *ins* of the private life of the shentry, and how they lived aproad too? My wife always pelieved that *Cæsar* was a real man, and, more-ofer, a real shentleman too, who knew from his own observation all apout the ways of the shentry. She thinks he was a confidential friend of Purns—

“ Nae doubt but they were fain o' ither,
An' unco pack and thick thegither ”—

and that Purns disguised him as well as he could py saying that

—“ he was nane o' Scotland's dogs,
But whalpet some place far abroad,
Where sailors gang to fish for cod.”

She is of opinion that Dr. Currie, when he inquired so specially apout it, must hafe strongly suspected that there was a real *Cæsar*—the most of Purns's characters being from real life whatefer. The answer which his prother, Gilbert, gave, she thinks, is what might pe expected for several reasons. He was not so foolish, my wife says, as to tell who *Cæsar* was, supposing he knew it; and it is also quite clear that, at that time, Gilbert would, if he could, have concealed who *Luath* was too. As for *Cæsar*, peing an *imaginary* dog, and aple to kive such *real* information!—she puts the closure on all my arguments with *that*. She may be wrong, but she holds that she is right, “because she is!”

no sympathy with the people, no discernment of the signs of the times; because, in the pride and narrowness of their hearts, they called those whose warnings might have saved them, theorists and speculators; because they refused all concession till the time had arrived when no concession would avail.”

After that arch Land Leaguer, Henry George, came ofer to this country, I used to say to my wife : "There's your *Cæsar* now !" And I myself looked on his coming from America to *Cæsarize us à la Purns*, as a sort of prophecy fulfilled, putt the answer I always kot from my wife was "Fiddlesticks !" Now, if I tell her that Professor Ogilvie was a Land Leaguer and a contemporary of Purns, she will at once say that he was *Cæsar* whatefer. You know how strange women are for shumping at conclusions !

Well, shust to try her, I'll not tell her a word, at first, apout what sort of a man Professor Ogilvie was. I'll not say that he was of the real *landed shentry* or that he was the "shentleman and scholar" who acted as travelling tutor to the Tuke of Gordon on a grand tour of Europe, which tour is so vividly pictured in the *Twa Dogs* as to suggest the pencil of an eye-witness—a philosophical Land-law-reforming eye !

Of course I'll tell her all these things quietly and py tegrees. Putt there is one thing I'll tell her ferry cautiously whatefer, namely this—that it was in the same year (1786) Purns wrote and published his *Twa Dogs*, and Professor Ogilvie wrote and published his *plan of campaign* against the *Highland shentry and klergy*, for the apolition and confiscation of their own College at Aberdeen, which, pefore his innovations, was generally known as *The Highland University*.

Were I to tell her that Professor Ogilvie had a kreat affection for pastoral poets like Virgil, and that he was ferry fond of Horace and Ovid, and that he was "tinctured with the sublime melancholy of Ossian," she would at once conclude that he, when maturing his *plan*, in that year, 1786, must have visited his academic friends in Glasgow, for it was the Glasgow University he took as his model for the proposed *united* University of Aberdeen. She could ferry easily put me in a corner by asking me, whether I thought any reasonable person could imagine that a Land Leaguer and a lover of pastoral poetry like Professor Ogilvie could refrain from going the length of

Ayrshire to visit another Land Leaguer, and a maker, as well as a lover, of pastoral poetry? You see *I* could not say "*Fiddlesticks*" to that whatefer. Professor Ogilvie had his knife ready for the "Highland Gentry" at that time, as shown by his *Plan of Campaign*, which came out in print on the 20th of July, 1786. And it was "upon a bonie day in June," 1786, that the *Twa Dogs*

"began a lang digression
About the LORDS O' THE CREATION".

My wife pelieves efery word of the *Twa Dogs* as Kospel, and she often wishes, and so tid her mother pefore her, that her own krandfather, the old laird, had taken the words of *Luath* and *Cæsar* to heart, and prevented the "*downright wastrie*," py which the *braw estate* of — was alienated from the family. I'll pe ferry careful in discussing dates with her whatefer. For Purns also had his knife in the *Highland gentry* at that time; which comes out ferry clearly in the *Address of Beelzebub* on the 1st of June, 1786, putt kept from being published until 1818; and the true story of it is still expunged from all editions *for the people!* You see the Glengarry men revolted against their Chief in 1786 pecause he took all their lands from them. Eviction was the reward or bounty they received for fighting under the false colours of British Liberty in the American War of Independence. They fought for the liberty of landlordism — *the liberty to evict* — and they got it! Other chiefs attempted to treat the Highlanders as mere slaves; they held a meeting in London, on hearing that the Glengarry men resolved to emigrate to America; and these "noblemen and gentlemen agreed to co-operate with Government" to prevent by force these landless Highlanders from emigrating "*in search of their natural rights!*" It was this that moved Purns to write:—

"*To the Right Honourable the Earl of Breadalbane, President of the Right Honourable and Honourable the Highland Society, which met on the 23rd of May last (1786) at the Shakespeare,*

Covent Garden, to concert ways and means to frustrate the design of five hundred Highlanders, who, *as the Society were informed by Mr. Mackenzie of Applecross*, were so audacious as to attempt an escape from their lawful lords and masters, whose property they were, *by emigrating from the lands of Mr. M'Donald of Glengarry to the wilds of Canada*, in search* of that fantastic thing—LIBERTY”.

“ Faith, you and Applecross were right
 To keep the Highland hounds in sight ;
 Poor dunghill sons of dirt and mire
 May to Patrician rights aspire !
 Then up amang thae lakes and seas
 They'll mak' what rules and laws they please ;
 Some daring Hancocke, or a Franklin,
 May set their Highlan' blude a-ranklin' ;
 Some Washington again may head them,
 Or some Montgomery, fearless, lead them ;
 Till God knows what may be effected
 When by such heads and hearts directed !
 But hear, my lord ! Glengarry, hear !
 Your *hand's owre light on them*, I fear ;
 Your factors, grieves, trustees and bailies,
 I canna say but they do gaylies ;
 Yet while they're only poin'd and herriet,
 They'll keep their stubborn Highland spirit ;
 But smash them ! crash them a' to spails
 And rot the dyvors i' the jails !
They ! they be d——d ! what right hae they
 To meat, or sleep, or light o' day ?—
 Far less to riches, pow'r, or freedom,
 But what your lordship likes to gie them ! ”

In the following year, 1787, when addressing the water-fowl of Loch Turrit, the poet's eye was evidently still fixed on the Glengarry *exodus*. He said :—

* Compare these words with Professor Ogilvie's phrase—“in search of their natural rights”. Page 39 of *Essay*.

“ Swiftly seek, on clanging wings,
Other lakes and other springs,
And the foe you cannot brave,
Scorn at least to be his slave.”

Were it not that my wife was always ferry fond of Purns, I would be as ignorant of him as any other Free Church Minister in the Highlands whatever. For it is always our recognised duty to put in the fire every copy of Purns, or such books, we get a hold of in the hands of our people. Putt this copy of Purns my wife has is a ferry old one that belonged to her mother, which was always kept locked up; and my wife got a hold of it when her mother died. She also keeps it locked up. And we must not read it, except on the sly, so that nobody discovers there is a Purns in the Free Manse whatever. The people are all so treadfully prejudiced, ever since the old *moderate* ministers taught that prejudice; and they boycotted Purns because it was against themselves that he spoke. Although there are some crofters who still believe that any minister who joins the land agitation is not ferry holy, because they were always instructed that the land belonged to the landlords “*by God’s authority*,” and that the clergy should not meddle with the affairs of this world whatever, yet there are others who are ferry cute; for when one of the Free Church ministers in the island of Lewis recently warned his congregation that those who didn’t pay their rent were forbidden to take the holy sacrament of the Lord’s Supper, they were not long in telling him *to confine himself to the things of the next world only!* exactly as the majority of the Irish said in reply to the Pope’s *Rescript*, when they accused him of meddling with politics, and travelling beyond his own holy sphere as a tool of oppression.

The agitation brought about many curious things whatever. There is a Roman Catholic priest near me, who was always a Tory, and a real Jacobite too, although he is now a Unionist like myself, and we both agree with the Pope’s *Rescript*. For, you see, the lairds of —, being Roman Catholics, always

sheltered priests and papists on their lands, ever since the *Reformation*, in the same way as the lairds in my district kave shelter to the *Free Church* since 1843. And there is no *agitation* in our district except on the part of some radical Protestant crofters and two or three Catholics, who assert and maintain that the land was originally appropriated by spoliation and robbery, and that the landlords have no right to it whatefer; and they say it is the Teffil, and not Providence, that worked all the mischief; and they call the priest and myself the Teffil's agents too, and they look upon the *Crofters' Act* as real Providence from God in their favour. And they say that the doctrine preached in favour of landlordism is ferry much opposed to the Law of Moses, and, moreover, that it is quite contrary to the letter, as well as the spirit, of the Gospel of Jesus. They also say that all those who pray, "Thy kingdom come: Thy will be done on earth as it is in heaven," but who nevertheless stand by, and do nothing to disapprove of rack rents, evictions, and other oppressions *on the earth*, are not much petter than Judas Iscariot. And one young Highland priest said that the old priest and myself were "a pair of apostates!" And he is a Jacobite too; and, therefore, ferry angry at the old priest for joining a whig like the Tuke of Argyll on the land question whatefer. And, moreover, he said that the true Christian Church is based upon Temokratic principles, although Christianity has been abused as a pretext for war, slavery, and landlordism for a ferry long time. "Think," says he, "what's to be the outcome of compulsory and free education, and take *Hamlet's* advice—assume a virtue if you have it not!"

"I have seen some nations like o'erloaded asses,
Kick off their burthens—meaning the high classes."



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